

HOUSE OF REPRESENTATIVES—Tuesday, May 23, 1989

The House met at 12 noon.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

Gracious God, Your word has commanded that justice should roll down as waters and righteousness like an ever flowing stream. Our prayer, O God, is that we will dedicate our lives to doing the works of righteousness and to focus our energies to heal the wounds of injustice in our land and in our world. May we help lift the downtrodden, support the weak, protect the homeless, remember the forgotten, be reconciled with our enemies, and live in respect and dignity with all people. May we, O loving God, with humility and grace, be Your instruments of peace and good will. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from New York [Mr. FLAKE] please come forward and lead us in the Pledge of Allegiance.

Mr. FLAKE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESIGNATION AS MEMBER AND APPOINTMENT AS MEMBER OF DELEGATION TO CANADA-UNITED STATES INTERPARLIAMENTARY GROUP MEETINGS

The SPEAKER laid before the House the following resignation as a member of the House delegation to the Canada-United States Interparliamentary Group meetings:

HOUSE OF REPRESENTATIVES,
Washington, DC, May 17, 1989.

Hon. JIM WRIGHT,
Office of the Speaker, House of Representatives, Room H-204, U.S. Capitol, Washington, DC.

DEAR MR. SPEAKER: I regret that due to other commitments, I will be unable to participate as a member of the House Delegation to the Canada-U.S. Interparliamentary

Group meetings to be held in Canada from June 1 to June 5.

Respectfully yours,

DAVID O'B. MARTIN,
Member of Congress.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

The SPEAKER. Pursuant to the provisions of 22 U.S.C. 276(d), the Chair appoints the gentleman from New York [Mr. WALSH] to the United States delegation to attend the meeting of the Canada-United States Interparliamentary Group to fill the existing vacancy thereon.

RECOGNIZING BENEFITS PROVIDED BY SMALL BUSINESSES

(Mr. McNULTY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McNULTY. Mr. Speaker, we recently celebrated Small Business Week, and I rise today to commend small businesses and the people who make them successful.

I represent the 23d District in upstate New York—the capital region, where small businesses provide an annual payroll of \$4.5 billion.

We are also fortunate to have the Small Business Development Council [SBDC] in the capital district. From its beginning in 1984, the SBDC has assisted almost 1,700 clients.

Mr. Speaker, I am pleased to join with my colleagues in recognizing the tremendous benefits provided to our society by small businesses all across this great country.

RESOLUTION IN SUPPORT OF DEMOCRATIC RIGHTS IN THE PEOPLE'S REPUBLIC OF CHINA

(Mrs. SAIKI asked and was given permission to address the House for 1 minute.)

Mrs. SAIKI. Mr. Speaker, today I am introducing a resolution in support of democratic rights in the People's Republic of China.

As I have observed the events in China, I have been deeply moved by the determination and idealism of the Chinese students. Fighting in a non-violent way for what one believes to be true has been a cornerstone of many civil rights movements.

The resolution calls for a repeal of martial law and urges the Chinese Government to respect and affirm basic human rights, such as:

First, The right of peaceful assembly;

Second, The right of free and uncensored speech; and

Third, The right of a free and unrestrained press.

The resolution further declares that a violent response on the part of the People's Republic of China could effect Sino-American relations and commends the protesting students for their commitment to nonviolent protests.

I believe it is imperative, at this critical period in China, that the Congress speak out in support of basic human rights, and I hope my colleagues will join me in support of this resolution.

THE ULTIMATE FALL OF COMMUNISM IN CHINA

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, Chairman Mao is rolling over in his grave. Those students protesting in China are not only defacing Mao's picture, they are doing something that millions of U.S. dollars have failed to do. Those Chinese students are bringing about the ultimate fall of communism in China.

That prompts me to ask here today why each year Congress continues to give more money to foreign countries that cannot even keep toilet paper on their shelves, let alone afford to buy it.

I say to my colleagues, "Why don't we let political nature run its course and let communism fall flat on its face?"

Mr. Speaker, the demise of communism may not need all the American dollars we are spending. I lost 55,000 jobs in my district, and all I see is Congress giving money away to these foreign countries, and it never even gets to the people. These countries would be better managed by those student populations.

I say today, "Let's keep the money in America for jobs, and let's let communism fall on its face with people who are fed up, and hungry and want something to eat."

INTRODUCTION OF RESOLUTION TO PROTECT THE AFRICAN ELEPHANT

(Mr. HORTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Mr. HORTON. Mr. Speaker, last week I introduced House Concurrent Resolution 129, legislation designed to protect the African elephant from extinction. This concurrent resolution expresses the sense of the Congress that the Secretary of the Interior should use expedited procedures to list the African elephant as endangered under the Endangered Species Act.

Poaching for the world's ivory trade has had a devastating effect on the African elephant population. In 1979 there were 1,500,000 African elephants. Today there are fewer than 400,000 of these magnificent animals and poachers are killing close to 100,000 more each year. At this rate, it is not hard to figure out that the African elephant will be extinct within less than 10 years.

In recognition of these statistics, Secretary of Interior Manuel Lujan, Jr., has proposed that the African elephant be listed on appendix I—endangered—of the Convention of International Trade in Endangered Species [CITES]. Other cosigners of the convention, including Tanzania, Somalia, Kenya, Gambia, Chad, Austria, and Hungary have already expressed their desire to see the African elephant listed as endangered when the CITES nations meet this October in Switzerland.

Now that the United States has formally recognized the need to list the African elephant on appendix I under the CITES agreement, which will ban all commercial ivory trade, we must take the next logical step and recognize these animals as endangered under our internal protective laws. The United States should recapture the lead in international conservation, and list the elephant on our own domestic legislation before the CITES conference convenes. The African elephant cannot wait. Urging inclusion of the elephant on appendix I does not cover us as completely as making sure that both lists—domestic and international—include the elephant.

Secretary Lujan, our former colleague in the House of Representatives, has ordered a study be made of the effects of listing the African elephant as endangered under the Endangered Species Act. Many experts agree that this study will undoubtedly conclude that this elephant is, indeed, endangered.

Unfortunately, this study, to be conducted by the Fish and Wildlife Service, could take up to a year to complete. Within that year tens of thousands more African elephants could well be dead, killed by poachers for their ivory tusks. It is simply too late to be conducting a study. Thus, it is our wish that the Secretary will use emergency procedures to list the African elephant as endangered under the Endangered Species Act now.

There is clear evidence that a vast majority of the elephant poaching which currently occurs in Africa is a direct result of the lucrative trade in ivory. All too many times we have seen dozens of elephants slaughtered with automatic weapons on the African plains with their tusks removed and their carcasses rotting in the hot African sun.

Listing the African elephant as endangered under the Endangered Species Act would ban the import of all elephant parts, including ivory, into the United States. When the profits are removed, so too will the impetus to kill African elephants by the thousand. I urge my colleagues in the Congress to join me in cosponsoring House Concurrent Resolution 129. It could be the first time your actions in Congress are responsible for saving a species from extinction. The African elephant is endangered. Let's recognize that fact—before it's too late.

□ 1210

MINIMUM WAGE BILL GIVES TRICKLE OF HOPE TO HARD-WORKING POOR

(Mr. LIPINSKI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LIPINSKI. Mr. Speaker, for 8 years, Mr. President, the American citizen has been asked to accept tax breaks for the wealthy, accept deregulation of our vital industries, and accept cuts in the capital gains tax, because the benefits would trickle down. Indeed, shortly after you became Vice President, the flood gates of benefits opened up to this country's most well off with the only justification being the benefits would trickle down. Since then the number of America's homeless has increased, the middle class can no longer make ends meet, and hope for those in poverty has all but dried up. In fact, the only trickling I have seen has been to the established stockbroker, the struggling corporate raider, and, yes, of course our expensive technology has trickled over to the Japanese. But despite all efforts, your plan was not totally wrong. In front of you is a minimum wage bill that gives a trickle of hope to the hard-working poor of this country. If you veto this, Mr. President, be honest enough to admit that those tax breaks begun 8 years ago which poured benefits to the rich never were intended to trickle to the poor.

GET IT RIGHT, GIVE US A SEPARATE VETERANS BILL

(Mr. CONTE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONTE. Mr. Speaker, tomorrow, yet once again, we are going to take up the dire emergency supplemental, and do you know what they are proposing to do?

They are proposing to undo everything we did last week.

Last week, we took the veterans out of this supplemental mess. Tomorrow, we will be asked to put them right back in.

Last week, we passed a separate bill to take care of the veterans till the end of the year. We will be asked to give in to the Senate and take care of them only through June 15.

What a Memorial Day present.

Four weeks ago, we voted against a bloated supplemental that did not offset nondirect spending. We are still going to get \$821 million in drug funds rammed right down our throats.

Do you know why we will not take care of our veterans? Because the Senate wants to hold them hostage, so they can add all their goodies. The President pro tempore of the Senate wants to add \$75 million for a radio telescope in West Virginia. He wants to add \$6 million for subsidies for little used airports. He wants to hold up 27 million veterans from getting their benefits and their health care, so he can get his projects, and we are going to go along.

That is crazy. It is absurd, and I hope to heaven it does not happen.

How many times do we have to send the chairman and the leadership a message? Give us a clean bill. Give us a separate veterans bill. Let us get it right.

VOTE FOR PASSAGE OF MINIMUM WAGE BILL

(Mr. FLAKE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FLAKE. Mr. Speaker, several decades ago we passed a bill that allowed for spending money to fight the war against poverty. Today we come addressing the question of the minimum wage, with the realization that many of the people who work every day of their lives are in poverty.

It is one thing when you pass legislation that says that we are going to give people something without them having to work for it. It is another thing when you say to people that we are going to be fair, we are going to be equitable, we are going to do the just thing for those who go to work early in the morning and work all day long at minimum wage salaries that keep them in a cycle of poverty is to give them a livable wage, a wage that will allow them to meet the needs of their children, to meet the needs of their families.

Mr. Speaker, it is only right that we should pass this legislation. It is only fair and just that the President should not veto it.

Mr. Speaker, I urge my colleagues in the House to vote for the passage, not only the passage of this bill, but also to vote to override any veto. It is the right thing to do.

COLLEGE STUDENTS AND AIDS

(Mr. BURTON of Indiana asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURTON of Indiana. Mr. Speaker, the Center for Disease Control in Atlanta announced this week that they had done some testing on our college students regarding the AIDS virus. They have concluded that 1 out of every 500 college students have the AIDS virus, at least 1 out of every 500.

Think about that. According to the statistics coming out of the Center for Disease Control, 122,000 Americans will be dead or dying of AIDS by the end of this year. If you extrapolate these figures out through the year 1999, that means that we are going to have somewhere between 4 million and 8 million people dead or dying of AIDS by the turn of the century, by 1999.

Mr. Speaker, we have not been doing anything to address this problem. We are walking around with our heads in the sack acting as if this is going to go away, when it gets worse day by day.

Now, the only logical way to address this problem, Mr. Speaker, is to have an organized program, a well thought-out program to deal with this pandemic, and the first step in that overall program is a mandatory testing program uniform across this country.

AMERICA'S MINIMUM WAGE EARNERS DESERVE BETTER FROM THEIR PRESIDENT

(Mr. NAGLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NAGLE. Mr. Speaker, earlier this year when the Federal pay raise proposal was before us, President Bush supported a recommendation which would have raised his own retirement pay—Presidential retirement pay—by \$41.04 an hour over its 1981 level.

Let me repeat for emphasis: That's an hourly increase in Presidential retirement pay of \$41.04.

That hourly increase of \$41.04 in Presidential retirement pay was also supported by former President Reagan. Had the recommendation regarding their own retirement pay been adopted, Mr. Reagan would have been receiving that \$41.04 hourly increase

in retirement pay even as he packed his bags to go to Japan later this year to collect \$2 million for giving a couple of speeches and attending a couple of cocktail parties.

By contrast, America's minimum wage earners—who work hard every day at some of the most physically demanding jobs in America—have not had a pay raise in 8 long years.

Congress has now passed legislation to increase the minimum wage—but by an amount that doesn't even make up what minimum wage earners have lost to inflation since 1981.

And despite his own generosity when it comes to his own retirement pay, President Bush now says he will veto that legislation—over three thin dimes.

The President is wrong when he says America's minimum wage earners are not worth an additional 30 cents. And they deserve better from their President.

Sign the bill, Mr. President. Sign the bill. Do not veto it over three thin dimes.

THE BATTLE FOR DEMOCRACY

(Mr. DREIER of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DREIER of California. Mr. Speaker, as the ship of democratic reform in China rapidly moves ahead into uncharted waters, it is very important for the United States Congress and our country, as the greatest bastion of freedom on the face of the Earth, to do everything that we can to provide encouragement and support. The cover story of this past week's U.S. News & World Report—"Battle for Democracy"—makes it very clear what is taking place in China today. Change exists. Change is going to continue to expand.

I also congratulate those military leaders in Red China who just the day before yesterday signed a letter clearly stating that they are not going to fire on their people. The quote of Mao Tse-tung that "political power emanates from the barrel of a gun" obviously is beginning to be proven wrong.

As I have stressed many times before, we have to provide support for anyone around the world reaching out for the same kind of freedom and opportunity which we in the United States enjoy.

I am pleased, Mr. Speaker, that President Bush and this body are doing just that.

TRIBUTE TO DEAN RUSK ON HIS 80TH BIRTHDAY

(Mr. DARDEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DARDEN. Mr. Speaker, Dean Rusk served as our Nation's Secretary of State during one of the most turbulent periods of postwar international relations. And, certainly, the intelligence and cool demeanor of this outstanding Georgian were among the great assets of the Kennedy and Johnson administrations as they dealt with such challenges as the Berlin Wall, the Cuban missile crisis of 1962, the war in Vietnam and the continuing eruptions of conflict in the Middle East.

Since leaving public office two decades ago, Dean Rusk has served as professor of international law at the University of Georgia—passing along to new generations of leaders the lessons he learned during those years when he was a key player in the formulation of the U.S. foreign policy.

Today in Atlanta, GA, many of Dean Rusk's friends are gathering to mark his 80th birthday. Those of us in this body cannot be there, but I know that all of you join me in wishing Dean Rusk well, and in thanking him for his untiring efforts to build a more peaceful world.

INTRODUCTION OF RESOLUTION SUPPORTING DEMONSTRATORS FOR DEMOCRACY IN CHINA

(Mr. ARMEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ARMEY. Mr. Speaker, the United States must be the champion of democracy everywhere. In recent days, in the People's Republic of China, more than a million people have gathered to ask their government to implement democratic reforms and recognize their inalienable rights to free expression and free assembly. Although they have been threatened with military force, they are bravely promoting their ideals through hunger strikes and other nonviolent means.

I believe that we in Congress must show these democratic demonstrators that we are on their side.

Today, I am introducing a resolution to demonstrate our support. It expresses our sympathy with the demonstrators democratic aspirations, commends them for their use of nonviolent tactics, and urges the Chinese Government to join with the demonstrators and work for a democratic China.

I urge my colleagues to cosponsor this resolution. Let us leave no doubt that we support democracy in China.

RAISING THE MINIMUM WAGE NOW

(Mrs. COLLINS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. COLLINS. Mr. Speaker, last week the Senate approved the conference report on the Fair Labor Standards Act Amendments of 1989, the bill that will raise the Federal minimum wage over a 3-year period to \$4.55 per hour. I strongly supported this bill when the House approved it and urge the President to see that this bill is enacted immediately.

Americans who work for the minimum wage cannot wait any longer for something to be done so that they can once again earn a wage that they can live on. Because the minimum wage has not been raised since 1981 while prices have continued to rise, the number of working poor in our Nation has climbed to a shameful level. In 1987, 33 percent of individuals living in poverty worked full time.

I ask the Members: How do we expect hard-working Americans to find affordable, quality child care, to put food on the table, to pay for a roof over their heads, if their wages are below a subsistence level? These are underserved and underrepresented Americans. They deserve a living wage. We must speak out on their behalf, and then follow our words with action.

Our President has tried to set himself apart from the last administration in which he served by saying that he plans to work for a kinder, gentler America. What could be more kind or more gentle than changing the course of the last 8 years by giving attention to the problems of the working poor? He also has said he will veto the Congress' compromise bill which exceeds his idea of what the raise should be by 30 cents per hour over a 3-year period. I fail to see the connection between the President's words and his intended actions.

Maybe he has seen the studies that say raising the minimum wage will cause massive job losses. I have seen the ones that say—in fact, in each year after an increase in the minimum wage, except the recession years of 1975 and 1982, employment has increased.

Some minimum wage workers depend on the job as an entrance to the work force. But also, 84 percent of minimum wage workers are 18 years old or older. On behalf of all minimum wage workers, and especially the ones who need their pay to support their families, I urge the President to support the congressional compromise.

PUYALLUP TRIBE SETTLEMENT AGREEMENT

(Mr. MORRISON of Washington asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MORRISON of Washington. Mr. Speaker, on today's Suspension Calendar is H.R. 932, the Puyallup Tribe settlement package. I rise in enthusiastic support of that settlement agreement.

Mr. Speaker, this is a result of 4½ years of negotiations. It is very finely balanced. The majority of resources that led to this settlement are local, and it is in the best interest of the Federal Government to see this dispute settled.

This measure comes to us with unanimous support of the Committee on Interior and Insular Affairs. It is vital to move this settlement package at this time.

I urge the support of all of my colleagues for the Puyallup Tribe settlement agreement.

THE DOD AUDIT IMPROVEMENT ACT WOULD INCREASE THE EFFECTIVENESS OF MILITARY INSPECTORS

(Mr. LANCASTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. LANCASTER. Mr. Speaker, last week Jack Anderson published two columns that provide ample evidence that the current system in the Department of Defense where military inspectors attempt to investigate their superiors just does not work. I want to enter both columns in the RECORD so my colleagues can read about these outrages for themselves.

JOHN KASICH and I recently introduced H.R. 2362, the DOD Audit Improvement Act, that attempts to correct these abuses by changing the structure and the system in the Department. This bill would consolidate all audit, internal review, fraud, white-collar investigators, and military inspectors into one organization. The key to this reorganization, Mr. Speaker, is that this consolidated unit would be independent of the services and managed by an Auditor General, modeled after the very successful Inspector General Program.

The Department of Defense is comprised of some of the most highly motivated and intelligent individuals in our Government. The Congress needs to establish a structure that will allow these individuals to function effectively. H.R. 2362 does just that; it would turn loose all those junkyard dogs that are currently muzzled in DOD. I urge my colleagues to cosponsor this bill and actively support its passage.

ARMY INSPECTOR GOES EASY ON BRASS

(By Jack Anderson and Dale Van Atta)

Rank has its privileges and no one knows that better than Army Maj. Gen. Andrew L. Cooley. When the dinner hour rolled around at Fort Stewart, Ga., the general was served by aides in white jackets. And when he wanted to review the troops, the general cruised in a customized Army van with deep carpeting, swivel chairs, a stereo and color television set.

For every Maj. Gen. Cooley, there are thousands of grunts who joined the Army to see the world by more modest means. Someone noticed the inequity and dropped a dime to report Cooley's excesses to a Defense Department whistle-blowers' hotline. The Army inspector general spent 476 days to reach the mystifying conclusion that the complaints against Cooley could not be substantiated.

The Army said Cooley had done no wrong because the aides didn't always wear the white jackets and the modifications to the van had been approved beforehand.

The Army later clarified its policy on souping up government vehicles and using GIs as house servants. But Cooley was not held accountable for his airs. He has since been transferred to Egypt and did not return our phone calls from there.

This and more startling evidence that the Army IG fudges investigations of top brass are contained in a closely held Defense Department report obtained by our associate Stewart Harris.

Marked "Official Use Only," the report makes the case that the Defense Department IG should take over the investigations of officers because the individual inspectors general in the Army, Air Force and Navy are letting them off the hook.

The report, by its own admission, is a bombshell. The cover memo says that "information contained in this briefing book is considered sensitive, in that release of the material in total could result in embarrassment to the department."

The report includes the case of Brig. Gen. Robert Berry, who was allowed to retire before the Army IG completed a probe of allegations that he wasted money on a trip to Europe with a deputy assistant secretary of the Army, Judy Ann Miller.

A whistle-blower accused the duo of arriving in Europe earlier than business required, renting expensive cars and improperly asking for first-class seats. It took the Army IG 300 days to close the case, plenty of time for Berry to retire. The investigation concluded that Berry had arrived earlier than necessary for his business and that Miller improperly solicited first-class air travel.

In Berry's case, the report indicates the Army made an exception to its rule of not allowing personnel to retire while under investigation. Miller refused to talk to us and Berry could not be located.

The Army IG spent 799 days investigating another case. An official in St. Louis was suspected of stealing computers, using the Army phone for personal business and ordering underlings to run personal errands. Investigators confirmed some allegations and the official was suspended for 10 days. The Defense Department ordered the Army to take another look. That second inquiry found that the man had used Army phones for personal profit. His security clearance was revoked.

Army Inspector General Henry Doctor declined to talk to us.

ARMY'S COOL APPROACH TO HOT LINE

(By Jack Anderson and Dale Van Atta)

A hot line in the Defense Department puts whistle-blowers just a touch-tone away from reporting waste and mismanagement. Why then would any top military officer risk breaking the rules when it is so easy to get caught?

Maybe because the good-old-boy system in the military until recently guaranteed that complaints to the hot line about top brass end up in the Bermuda Triangle.

Take the case of Army Gen. Alonzo Short Jr. Last year an Army worker placed an anonymous call to the hot line complaining that Short had charged the Army for unnecessary trips to a base in Arizona and was about to spend \$300,000 to install a kitchen and bath in his office.

If the remodeling plans were in the works, the Army should have moved quickly to investigate the charges. But four months after the tip was turned over to the Army inspector general, Short was cleared of the travel allegation but the remodeling investigation had not begun.

The Army refused to tell us the outcome of the investigation, and Short did not return our phone call to his current post at Fort Huachuca, Ariz.

The details of the initial Short investigation are in an internal Defense Department memo stamped "Official Use Only," which is highly critical of the way the individual services have fielded the hot line calls. "Issues such as this speak to the lack of sensitivity and responsiveness typical of the [Army Inspector General] office," Defense Department hot line operator Leonard Trahan Jr. wrote in the memo, obtained by our associate Stewart Harris.

Investigations of top officers have been mishandled for years by the Army, Air Force and Navy. Each service has an inspector general who is often chummy with the generals under investigation. Staff members in the inspector general offices risk their careers if they do their jobs well. Many inspectors are rotated back into the regular ranks when their tour with the inspector general is finished. No wonder they get weak in the knees on investigating bigwigs.

Defense Department Inspector General June Gibbs Brown did not like the setup and asked that the job of investigating top officers be given to her umbrella agency. Deputy Defense Secretary William H. Taft IV granted her wish.

The policy change comes none too soon. Besides botching investigations, the Army investigators drag their feet, giving the generals plenty of time to rationalize their excesses.

It took 294 days for the Army to dismiss allegations that Maj. Gen. William Streeter converted a five-ton Army truck into a recreational vehicle. The Army also cleared Streeter of allegations that he bought 10 office chairs for \$359 apiece, reupholstered them for \$300 each and then sent them to surplus because he did not like the color, according to the Defense Department report. The tipster also accused one of Streeter's majors of spending \$997 on golf balls.

That major took the rap on some of the allegations while Streeter skated. The major was fined \$500 and removed from the promotion list, according to the report. Streeter has since been promoted. Streeter did not return our call and the Army declined to comment.

VETERANS' HEALTH CARE SYSTEM NEEDS CLEAN EMERGENCY SUPPLEMENTAL

(Mr. BUECHNER asked and was given permission to address the House for 1 minute and to revise and extend his remarks).

Mr. BUECHNER. Mr. Speaker, I find that I must comment on the emergency supplemental appropriation bill which the Congress is now considering, and its effect upon our Nation's veterans.

Last week, the House passed an emergency supplemental bill, which provided funds for the veterans, health care system. This legislation was the clean bill, not the pork laden bill considered earlier in the House.

And what did the Senate do? The Senate amended this much needed emergency bill so that the funds for the VA would run out again on June 15, then the Senate left town!

Mr. Speaker, this is an outrage! Our veterans are being denied essential health care. VA hospitals are laying off thousands of employees and new VA facilities cannot be opened due to a lack of funds. In short, the VA health care system is in a crisis situation.

How could the Senate do this? How could the Senate hold funding for the VA hospital system hostage to pork-barrel spending needs? Why does the Senate play politics with the VA hospital system?

This is just another example of business as usual in Congress. Liberals, Conservatives, Republican, and Democrats all agree that the veterans' health care system is in dire need of money. Instead of providing the VA with the funds to provide health care for veterans, some Members of Congress putting their own district's needs before the needs of the Nation.

Mr. Speaker, health care is one of the promises we made to our Nation's veterans. They fought for our country and sacrificed to keep our Nation free. And now, when they need our help, the Senate decides that it is more important to fund political pork than provide funding for veterans' health care.

The Senate's behavior on this matter is reprehensible. The House should reject the Senate's amendments to the VA emergency supplemental, and once again pass a clean supplemental which provides adequate funding for the VA health care system.

GAO REPORT ON SHORT-SUPPLY

(Mr. VISCLOSKEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VISCLOSKEY. Mr. Speaker, few issues have been as important to my constituents as the extension of the

steel voluntary restraint agreements [VRA's] which are due to expire September 30, 1989.

VRA's, which were negotiated in 1984 with 19 countries and the European Community, were implemented to provide relief to an industry faced with foreign competition producing at levels far in excess of their domestic needs. Significant foreign government subsidies as well as the dumping of steel in this country at prices far below cost were involved as foreign steel companies flooded the U.S. market.

The VRA's have been essential to reducing import penetration from 30 percent in 1984 to a low of 21.4 percent in 1988. A key element of the VRA's has been the short-supply program administered by the Department of Commerce. This program enables steel consumers to obtain steel in excess of VRA limits. Nineteen VRA's contain short-supply provisions.

Since the inception of the VRA's, there has been considerable criticism of the short-supply program and a widespread contention that the process is overly lengthy and cumbersome.

Well aware that the proper functioning of the steel program depends on the efficacy of the short-supply program, I requested the General Accounting Office [GAO] to undertake an examination of the process and provide recommendations for improving and expediting it.

This morning, in anticipation of the promulgation of its report in mid-June, the GAO held a briefing for members of the Executive Committee of the Congressional Steel Caucus to inform us of the report's findings and conclusions.

The GAO provided a number of recommendations which I believe will greatly enhance the functioning of the short-supply program. Namely, the GAO suggested that Secretary of Commerce Mosbacher direct the Office of Agreements Compliance of the Commerce Department to provide more process transparency by issuing comprehensive guidance or regulations on the program's requirements, policies (including decision criteria), procedures and detailed filing information for petitioners use. Decisions as well as their explanations should be made public. In addition, the GAO found that the process would be greatly improved by the establishment of a standard deadline for processing short-supply reviews.

Steel industry assistance must not come at the expense of steel consumers who rely on a reliable and adequate supply of steel for their livelihood. At the same time, easing access to foreign steel products in the absence of domestic supplies must not result in the flooding of our markets with steel imports. I believe that en-

hancing the short-supply program in the manner recommended by the GAO will achieve these twin goals of our national steel policy.

WE MUST ACT RESPONSIBLY FOR OUR VETERANS

(Mr. McEWEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McEWEN. Mr. Speaker, many of us recognized some months ago that the Veterans' Administration was going to be short between \$500 and \$600 million this fiscal year. We called upon the President, and he was gracious enough to respond with an urgent supplemental request of \$340 million, the bare minimum necessary to keep our veterans' services being provided by the VA.

Last week, under the leadership of the chairman, the gentleman from Mississippi [Mr. MONTGOMERY], and the chairman, the gentleman from Mississippi [Mr. WHITTEN], the vice-chairman, the gentleman from Arizona [Mr. STUMP], and the vice-chairman, the gentleman from Massachusetts [Mr. CONTEL], this House of Representatives passed that urgent supplemental necessary to keep the Veterans' Administration functioning. Then, as has been mentioned before, late Thursday afternoon, the other body acted in a manner that is unbecoming the leaders of this Nation, unbecoming a deliberative legislative body, unbecoming those who have concern for our veterans; they passed a 2-week VA supplemental and promptly left town.

Mr. Speaker, it is essential that we put Memorial Day policies above election day policies. Veterans are entitled to this assistance. It is necessary that they receive it. It is essential that we act responsibly and promptly, not with additional extraneous spending but necessary aid for our veterans.

POINT OF ORDER

The SPEAKER pro tempore. May the Chair ask the gentleman, does he feel that the other gentleman from Massachusetts complied with the new rule he helped draft in referring to the Senate?

Mr. FRANK. I would say to the Speaker that if the rules read the way I wished them to, everything my distinguished dean had said would have been in order. Given the way the rules, in fact, read, it would seem to me that he was not in order, which is to me not a reason to chastise the eminent dean of my delegation but a reason to change the silly rules.

If I might proceed out of order for 10 seconds so that people will understand, that had to do, since we do not want to raise doubts about the gentle-

man from Massachusetts, with reference to the Senate in which the rules unduly restrict our freedom to talk about them.

Mr. Speaker, I trust that my 1-minute will begin now.

TAKE ME TO YOUR LEADER

(Mr. FRANK asked and was given permission to address the House for 1 minute.)

Mr. FRANK. Mr. Speaker, apparently the Presidential election of last November must have been contested. I had not thought so at the time, but given George Bush's reluctance to take office, he must know something that we do not about the decisiveness of it.

This far into his Presidency, we still do not have from George Bush decisive policies in a number of important areas. Indeed, given his Maine roots, I guess he has decided to adopt a seafood emblem and, unfortunately, it has become the flounder, because that, I think, describes the Bush policy. His inability to cope with what is going on vis-a-vis the Soviet Union is now becoming a national embarrassment.

Mr. Speaker, recently the New York Times ran an editorial entitled, "Take Me to Your Leader," in which they reluctantly concluded, and it is a reluctance in which we all share, because we want our President to be a national leader, that if someone were to land on the planet today and ask to be taken to the planet's leader, George Bush would be very low on the list of those eligible. Mr. Speaker, I am, at this point in the RECORD, including the editorial.

TAKE ME TO YOUR LEADER

Imagine that an alien spaceship approached Earth and sent the message: "Take me to your leader." Who would that be? Without doubt, Mikhail Sergeyevich Gorbachev.

It couldn't be anyone from the planet's most populous country. China's Communist rulers are straining to contain the rush toward democracy by millions in the streets. It couldn't be anyone from rapidly rising Japan. It is nearly leaderless, pending resolution of political scandal.

And it's not likely that most earthlings would instantly think of George Bush. Which leader's initiatives have captured the imagination of common folk around the world? Chinese students answered last week with a banner reading: "In the Soviet Union, they have Gorbachev. In China, we have whom?"

Such impressions do not do justice to President Bush. After 40 years of cold war, re-evaluating the assumptions governing survival would be a monumental task for any President. It's all the harder for a new one. Mr. Gorbachev has been in office four years, Mr. Bush four months.

The President is just now unfolding his policies and may offer initiatives of his own today in Boston when he talks about relations with the West, and on Wednesday when he addresses national security. If so,

he may finally allay growing bewilderment and concern. At three different levels of leadership, Mr. Bush has become as noteworthy for his absence as Mr. Gorbachev is for his presence.

The lowest level is that of simple language. Mr. Gorbachev talks of removing 500 nuclear weapons from Europe, a mere gesture but in a welcome direction. Defense Secretary Cheney derides it: "He has got so many ratholes over there in Eastern Europe that 500 is a pittance." When Mr. Gorbachev claims to have stopped sending arms to Nicaragua, the White House press secretary accuses him of posturing like a "drugstore cowboy." It's incomprehensible: how can the Administration expect to exert world leadership when it seems so determined to kick gift horses in the teeth?

At a higher level, the Administration has been strangely truculent about negotiations over short-range nuclear weapons in Europe. Even certified hawks believe it is safe, and sound, to pursue such talks in tandem with conventional arms negotiations. Mr. Bush will be hard pressed to lead the Western alliance without somehow acknowledging the need to negotiate.

There's a still higher level of concern over American leadership. Americans cannot let down their guard; they have seen too much evidence of aggression and repression. But they are also seeing seismic changes that offer the promise of troop withdrawals, arms reductions and the freeing of vast fortunes for peaceful purposes.

Where does George Bush wish to lead? What does his America stand for? Two present challenges are clear. Mr. Bush could start spelling out how to make the transition from the old assumptions to new ones. More specifically, he could offer some idea of how Government should organize itself to achieve new global goals.

Those are not hard to identify. After nuclear weapons, the obvious survival question concerns the environment. After military rivalry, the obvious competitive questions concern economic arrangements. And after international questions, there is abundant opportunity for domestic initiatives from the would-be Education President.

For two generations, the United States has championed political and economic freedom around the world. Now that those values are triumphant, America can do more than cautiously try to squeeze concessions out of the losers. The leader of the free world can become a leader of the whole planet; but he has to try.

□ 1230

George Bush promised us 1,000 points of light. He seems instead to be grappling with 1,000 points of view and cannot decide which one to express.

VETERANS' FUNDING

(Mr. GINGRICH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GINGRICH. Mr. Speaker, AMVETS sent I think a very important letter which I would like to read into the RECORD. They said:

On behalf of the 200,000 members of AMVETS, we are appalled at the recent action taken by the Senate to provide emer-

agency funding for the health care of America's veterans only through June 15.

This action, and the cavalier attitude toward providing necessary funding for health care for those who have borne our country's battles is unconscionable. Veterans' issues have always been nonpartisan in scope and we fail to see what gains can be had in providing emergency funding only through June 15 when the issue must be addressed again.

We call upon you and all members of the U.S. Senate to ensure that adequate funding is available to provide the requisite health care for our country's veterans.

Sincerely yours,

JIMMY T. SMITH,
National Commander.

Mr. Speaker, I urge this House to reject the Senate amendment, to send back a clean veterans' supplemental, and to take a decisive stand that we furnish funding for the veterans' hospitals through the end of the fiscal year, and we not use the veterans as a device to carry political pork barrel through the House and Senate.

VETERANS' HEALTH CARE NEEDS LONG-TERM SOLUTION

(Mr. PICKETT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PICKETT. Mr. Speaker, the adequacy of the budget for veterans' health care shouldn't be based on simply adjusting last year's budget for inflation. It should be based on need. Since 1980, we have seen the demand for inpatient hospital care go up 7 percent; outpatient visits, up 29 percent; and nursing home care, up 63 percent. As a result, there are reliable estimates that in 1989 alone there are still big shortfalls in medical funding for the Department of Veterans' Affairs.

Veterans throughout our Nation have seen a marked decline in the availability of health care as lines for outpatient care grow longer, as hospital beds disappear, and as an acute nursing shortage undermines the efficient operation of veterans' medical centers. Our 27 million veterans deserve better, much better.

There are over 9 million veterans of World War II living today, and another 5 million veterans of the Korean war. These veterans have reached the age where their medical needs will likely increase for the remainder of their lives. This fact must be taken into account as we develop our veterans' health care budgets.

Many in this body have worked hard to ensure adequate funding for veterans' programs and they have made progress. But if we are to solve this problem, the Bush administration must share responsibility for it and make a greater commitment toward solving it.

FAIR LABOR STANDARDS AMENDMENTS OF 1989

(Mr. PAYNE of New Jersey asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAYNE of New Jersey. Mr. Speaker, I rise today in support of the conference agreement to the Fair Labor Standards Amendments of 1989; because I believe that it is the best deal at this time we can offer the minimum wage earners.

As you know, President Bush is threatening to veto this agreement. He contends that an increase to \$4.25 by 1992 combined with a 6-month training wage at 85 percent of the current wage is only to preserve the economy from imminent inflationary disaster. And although Congress has made several compromises regarding this legislation, Mr. Bush still considers this his bottom line, his final offer.

I would argue that Mr. Bush's assertion is speculative at best. Job loss was minimal and the quality of life for minimum wage workers improved.

The conference agreement to H.R. 2 would restore a large percentage of the lost purchasing power of the current minimum wage. It would raise the minimum wage to \$4.55 by 1992, establish a training wage not to exceed 60 days, create a Minimum Wage Review Board that would annually review economic data in order to assist Congress in assessing future increases, and finally, it not only raises the small business exemptions to \$500,000 but increases the tip credit to 50 percent.

Mr. Speaker, H.R. 2 is a bill that will actually give those workers a chance to survive in an economy of consistently upward spiraling prices. It is a bill that has received bipartisan support, it is a bill worthy of enactment.

IN SUPPORT OF H.R. 2, FAIR LABOR STANDARDS AMEND- MENTS OF 1989

(Mr. ENGEL asked and was given permission to address the House for 1 minute.)

Mr. ENGEL. Mr. Speaker, I rise today to urge President Bush to sign H.R. 2, which would increase the minimum wage. I cosponsored the original bill and am glad that Congress has passed this important legislation.

Both Houses have shown broad support for increasing the minimum wage from its present level. On March 23, the House passed H.R. 2 by a vote of 248-171 and the Senate passed a similar bill by a margin of 62 to 37 on April 12. Both Houses of Congress passed the conference report by similar margins.

Since 1981, the working poor's purchasing power has decreased by 39 percent. After adjusting for inflation, the minimum wage is at its lowest level since 1955. Had the minimum

wage been adjusted for inflation over the last 8 years, it would now stand at \$4.68 per hour. H.R. 2 would increase the minimum wage by \$1.20 over a 3-year period.

President Bush has threatened to veto H.R. 2 in its present form. I urge the President to sign this bill and help the working poor make up for the erosion of their earnings over the last 8 years. These people, after all, are not looking for a handout. They are hard working people who are just looking to survive.

VETERANS' FUNDING

(Mr. WALKER asked and was given permission to address the House for 1 minute.)

Mr. WALKER. Mr. Speaker, I would certainly hope that we are going to take action this week to assure that all veterans get their funding for the full year, not for just a couple of weeks, not for just a couple of days, but for the full year, and that they get the money that they need in order to maintain veterans' hospitals and provide the veterans with a level of care that they so richly deserve.

This is not something that should be cut off as of June 15, as was proposed by our colleagues in the Senate. Referring to that action in the Senate, the AMVETS has written this phrase which I think should sum up what our attitude should be. The letter said: "This action, and the cavalier attitude toward providing necessary funding for health care for those who have borne our country's battles is unconscionable."

It is unconscionable for this House and for the other body to take actions which do not fully fund veterans' health care in this country. We need to act and to act quickly.

IN SUPPORT OF SUPPLEMENTAL APPROPRIATIONS FOR VETER- ANS

(Mr. LAUGHLIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAUGHLIN. Mr. Speaker, in this week in which we remember those that have faithfully protected this great Nation, I rise to express my deep concern that our veterans are not receiving the medical care that they deserve, and that was promised to them.

Every day I hear from veterans who have been turned away from veterans, facilities, denied the medical care and attention they deserve. These faithful protectors of our Nation relay the stories of understaffed and ill-equipped facilities, and their fears that this administration would cut programs and benefits that have been promised to them.

Many of these service men and women still bear the physical and emotional scars of battle. Should we not at least provide the medical care that they have been promised?

I recently brought to Chairman MONTGOMERY's attention the plight of a veterans' medical facility proposed for the city of Victoria, in my congressional district. I learned that although the facility had been promised, funding was not available. I am proud to say that we convinced the Veterans' Administration to live up to its word.

Let us live by our promises of medical care and financial support for our veterans. We should no longer allow them to be used as pawns in our political games.

VETERANS' FUNDING

(Mr. SOLOMON asked and was given permission to address the House for 1 minute.)

Mr. SOLOMON. Mr. Speaker, last Wednesday this House passed a supplemental appropriation for the veterans' medical care facilities of this Nation for \$340 million, in good faith, and with the cooperation of the gentleman from Mississippi, Mr. JAMIE WHITTEN, the chairman of the Appropriations Committee. We sent that bill over to the Senate.

The Senate did one of the most disgraceful things I have ever seen in my life when they passed an amendment to that supplemental which allowed for a cut off or demanded a cut off of funds after June 15, then walked out and went home to make their speeches to all of the Memorial Day affairs back home. That was disgraceful, Mr. Speaker, because they have hurt the veterans of this Nation.

I can assure my colleagues that when that bill comes back over here there is going to be a motion made to strip that Byrd amendment out and to send that bill over and demand that the other body come back to this city and deal with that issue. I hope that every Member of this House will support that motion when it comes up.

□ 1240

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The Speaker pro tempore (Mr. MURTHA). The Chair would admonish all Members to not speak improperly of the Senate.

ESTABLISHING SERVICE-CONNECTED COMPENSATION FOR VIETNAM VETS EXPOSED TO AGENT ORANGE

(Mr. BRYANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BRYANT. Mr. Speaker, despite strong, compelling evidence of grave and long-lasting injury, the 2.8 million veterans who served in Vietnam and their families still don't know the effects of agent orange. And the Veterans' Administration [VA]—the bureaucracy that is supposed to serve veterans—has, in the past, had to be pushed and shoved by the veterans themselves and by Congress to even take a look at this chemical killer and what it has done.

More than 253,000 veterans and family members have filed a claim with the agent orange settlement fund to receive a portion of the \$180 million from 1984 settlement with the chemical companies that made agent orange. Despite the fact that a Federal appeals court upheld a general distribution plan for that settlement last October, which with interest is more than \$220 million, I understand that only \$2 million of that amount has been actually distributed to the veterans while nearly \$20 million from that fund has been paid to the lawyers supposedly working on their behalf.

A recently completed study of Vietnam veterans done by the American Legion leaves no doubt that agent orange is linked to certain diseases and confirms that the Government has not done its part to put an end to the suffering from the Vietnam war. I will continue to sponsor legislation to establish service connected compensation for Vietnam veterans who were exposed to agent orange.

AUTHORIZING FIRST STRIKE CEREMONY AT U.S. CAPITOL FOR BICENTENNIAL OF THE CONGRESS COMMEMORATIVE COIN

Mrs. BOGGS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate joint resolution (S.J. Res. 128) authorizing a first strike ceremony at the U.S. Capitol for the Bicentennial of the Congress Commemorative Coin, and asked for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

Mr. RHODES. Mr. Speaker, reserving the right to object, I do not plan to object, but I wonder if the gentleman from Louisiana [Mrs. Boggs] will explain what the impact of Senate Joint Resolution 128 is.

Mrs. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. RHODES. I yield to the gentleman from Louisiana.

Mrs. BOGGS. I thank the gentleman for yielding.

Mr. Speaker, this resolution authorizes the Department of the Treasury to conduct a first strike ceremony here

for the congressional bicentennial commemorative coins. It will be on the Capitol grounds. The coins were authorized last year by Public Law 100-378. By law these coins must be minted by the San Francisco, West Point, and Denver mints.

In order to hold this special first strike ceremony here at the Capitol on June 14, there must be specific authorization given to the mint and that is what this resolution hopes to accomplish.

The coins will be issued in \$5 gold, \$1 silver, and half-dollar clad denominations, and all of us will remember that their designs were unveiled at our commemorative joint session on March 2.

A significant portion of the surcharges received from the sale of these coins will be deposited in the Capitol preservation fund and will be used for improvements to the Capitol and the acquisition of art and furnishings associated with the history of the Capitol.

This resolution has been prepared in consultation with the Department of the Treasury and has been cleared with the majority and minority leadership of the Committee on Banking, Finance and Urban Affairs.

These bicentennial coins provide us with a very unique way to commemorate the history of the first branch of Government and to honor the thousands of men and women who have served in the Congress in the past two centuries.

It is our hope that all the current Members will join, pending of course, the passage of this resolution, in the first strike ceremony on the East Plaza at 10:30 on Wednesday morning, June 14.

Mr. RHODES. I thank the gentleman for her explanation. I look forward to joining with her on June 14 in the first strike ceremony.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. RES. 128

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AUTHORIZATION OF A FIRST STRIKE CEREMONY AT THE UNITED STATES CAPITOL FOR THE BICENTENNIAL OF THE CONGRESS COMMEMORATIVE COIN.

(a) On June 14, 1989, or any other date that the President pro tempore of the Senate and the Speaker of the House of Representatives jointly designate, a first strike ceremony may be conducted at the United States Capitol and on the Capitol Grounds to strike coins authorized by the Bicentennial of the United States Congress Commemorative Coin Act (P.L. 100-673).

(b) All activities of and preparations for the ceremony authorized by subsection (a), including the striking and distribution of coins, shall be jointly coordinated with the Commissions on the Bicentennials of the United States Senate and the United States House of Representatives and the Secretary of the Treasury.

(c) Notwithstanding the Bicentennial of the United States Congress Commemorative Coin Act or any other provision of law, the United States Mint may strike coins authorized by the Bicentennial of the United States Congress Commemorative Coin Act in Washington, D.C., during first strike ceremonies conducted as authorized by subsection (a). Such coins shall bear the mint mark of the mint facility which is designated to strike the coins.

SEC. 2. RESPONSIBILITY OF CONGRESSIONAL OFFICERS AND PHYSICAL PREPARATIONS.

(a) Under the direction of the President pro tempore of the Senate and the Speaker of the House, the Secretary of the Senate, the Clerk of the House, the Architect of the Capitol, and the Capitol Police Board shall take any action necessary to carry out section 1.

(b) The Architect of the Capitol may prescribe conditions for physical preparations for the ceremony authorized in section 1.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Kalbaugh, one of his secretaries.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5, rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken after debate has been concluded on all motions to suspend the rules.

PUYALLUP TRIBE OF INDIANS SETTLEMENT ACT OF 1989

Mr. MILLER of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 932) to provide for the settlement of land claims of the Puyallup Tribe of Indians in the State of Washington, and for other purposes, as amended.

The Clerk read as follows:

H.R. 932

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Puyallup Tribe of Indians Settlement Act of 1989".

SEC. 2. CONGRESSIONAL FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds and declares that:

(1) It is the policy of the United States to promote tribal self-determination and economic self-sufficiency and to support the resolution of disputes over historical claims through settlements mutually agreed to by Indian and non-Indian parties.

(2) Disputes over certain land claims of the Puyallup Tribe and other matters, including—

(A) ownership of the Commencement Bay tidelands and areas of former Puyallup Riverbed, lands within the Puyallup Tribe's Treaty Reservation, or intended reservation boundaries,

(B) railroad and other rights-of-way,

(C) control of fisheries resource and habitat,

(D) jurisdiction over law enforcement, environment, navigation, and authority and control in the areas of land use,

(E) business regulation and zoning,

have resulted in difficult community relations and negative economic impacts affecting both the Tribe and non-Indian parties.

(3) Some of the significant historical events that led to the present circumstances include—

(A) the negotiation of the Treaty of Medicine Creek in December 1854, by the Puyallup Indians and others, by which the tribes ceded most of their territories but reserved certain lands and rights, including fishing rights;

(B) the Executive Order of 1857 creating the Puyallup Indian Reservation;

(C) the Executive Order of 1873, clarifying and extending the Puyallup Reservation in the Washington Territory;

(D) the March 11, 1891, Report of the Puyallup Indian Commission on allotments and the 1896 report by a second Puyallup Indian Commission describing the problems with sales of allotted lands; and

(E) the 1909 District Court for Tacoma decision of the United States of America against J.M. Ashton and the 1910 Supreme Court decision of United States of America against J.M. Ashton.

(4) It is recognized that both Indian and non-Indian parties enter into this settlement to resolve certain problems and claims and to derive certain benefits:

(5) There is a recognition that any final resolution of pending disputes through a process of litigation would take many years and entail great expense to all parties; continue economically and socially damaging controversies; prolong uncertainty as to the access, ownership, and jurisdictional status of issues in question; and seriously impair long-term economic planning and development for all parties.

(6) To advance the goals of Federal policy of Indian self-determination and to carry out the trust responsibility of the United States, and to advance the Federal policy of international trade and economic development, and in recognition of the Federal policy of settling these conflicts through comprehensive settlement agreements, it is appropriate that the United States participate in the funding and implementation of the Settlement Agreement.

(b) PURPOSE.—Therefore, it is the purpose of this Act—

(1) to approve, ratify, and confirm the agreement entered into by the non-Indian

settlement parties and the Puyallup Tribe of Indians,

(2) to authorize and direct the Secretary to implement the terms of such agreement, and

(3) to authorize the actions and appropriations necessary to implement the provisions of the Settlement Agreement and this Act.

SEC. 3. RESOLUTION OF PUYALLUP TRIBAL LAND CLAIMS.

(a) RELINQUISHMENT.—In accordance with the Settlement Agreement and in return for the land and other benefits derived from the Settlement Agreement and this Act, the Tribe, and the United States as trustee for the Tribe and its members, relinquish all claims to tidelands, submerged lands, and any other lands, and including any mineral claims and nonfisheries water rights connected with such relinquished land, known or unknown, within the State of Washington, subject to the exceptions referred to in subsection (b).

(b) EXCEPTION FOR CERTAIN LANDS.—Subsection (a) shall not apply to the following:

(1) 12.5 acres of former riverbed land confirmed to the Tribe in Puyallup Tribe of Indians against Port of Tacoma (717 F. 2d 1251 (1983)), which land shall be subject to the terms and conditions described in the Settlement Agreement and document 6 of the Technical Documents.

(2) All land to which record title in the Tribe or the United States in trust for the Tribe or its members derives from a patent issued by the United States or from a conveyance of tideland by the State of Washington. For the purposes of this paragraph, the term "record title" means title documented by identifiable conveyances reflected in those records imparting constructive notice of conveyances according to the laws of the State (RCW chapters 65.04 and 65.08) and the final judgments of State or Federal courts.

(3) Certain land recognized to be owned on August 27, 1988, by the Tribe or the United States in trust for the Tribe within the Indian Addition to the city of Tacoma, Washington, as recorded in book 7 of plats at pages 30 and 31, records of Pierce County, Washington, as follows:

(A) Land owned on August 27, 1988:

(i) Portions of tracts 2, 5, 6, 10, and 11.

(ii) Tract 7 (school site).

(iii) Tract 8 (church site).

(iv) Tract 9 (cemetery site).

(v) Approximately 38 lots in blocks 8150, 8249, 8350, and 8442, inclusive.

(B) Land, wherever located, added to the above list of parcels on or before December 1, 1988, in accordance with paragraph A.3. of section IX of the Settlement Agreement.

(4) The lands transferred to the Tribe pursuant to the Settlement Agreement.

(5) The rights to underlying lands or the reversionary interest of the Tribe, if any, in the Union Pacific or Burlington Northern rights-of-way across the 1873 Survey Area, where the property over which they were granted belonged, at the time of the grant, to the United States in trust for the Tribe or to the Tribe.

(6) The submerged lands as of August 27, 1988, in the Puyallup River within the 1873 Survey Area below the mean high water line.

(c) PERSONAL CLAIMS.—Nothing in this section or in the Settlement Agreement shall be construed to impair, eliminate, or in any way affect the title of any individual Indian to land held by such individual in fee or in trust, nor shall it affect the personal claim

of any individual Indian as to claims regarding past sales of allotted lands or any claim which is pursued under any law of general applicability that protects non-Indians as well as Indians.

SEC. 4. SETTLEMENT LANDS.

(a) **ACCEPTANCE BY SECRETARY.**—The Secretary shall accept the conveyance of the lands described in subsection (c), and the Outer Hylebos tidelands property referred to in section VIII, A,1,c of the Settlement Agreement, subject to the terms and conditions of the Settlement Agreement and shall hold such lands in trust for the benefit of the Tribe.

(b) **CONTAMINATION.**—(1) Contamination audits and cleanup of settlement lands shall be carried out in accordance with the Settlement Agreement and document 1 of the Technical Documents.

(2) The Tribe shall not be liable for the cleanup costs or in any other manner for contamination on properties described in subsection (c) except any contamination caused by the Tribe's activities after conveyance of these properties to the Tribe under the terms of the Settlement Agreement and document 1 of the Technical Documents.

(c) **LANDS DESCRIBED.**—The lands referred to in subsection (a), and more particularly described in the Settlement Agreement, are as follows:

(1) The Blair Waterway property, comprised of approximately 43.4 acres.

(2) The Blair Backup property, comprised of approximately 85.2 acres.

(3) The Inner Hylebos property, comprised of approximately 72.9 acres.

(4) The Upper Hylebos property, comprised of approximately 5.9 acres.

(5) The Union Pacific property (Fife), comprised of a parcel of approximately 57 acres, and an adjoining 22-acre parcel if the option relating to the Union Pacific property (Fife) (as described in document 1 of the Technical Documents) is exercised.

(6) The Torre property (Fife), comprised of approximately 27.4 acres, unless the Port elects to provide the cash value of such property.

(7) The Taylor Way and East-West Road properties, two properties totaling approximately 7.4 acres.

(8) The submerged lands in the Puyallup River within the 1873 Survey Area below the mean high water line, as provided in section I, B, of the Settlement Agreement. To the extent that the United States has title to any of the lands described in this subpart, then such lands shall be held by the United States in trust for the use and benefit of the Puyallup Tribe.

(9) The approximately 600 acres of open space, forest, and cultural lands to be acquired by the Tribe with cash received pursuant to section I of the Settlement Agreement or other tribal funds.

(d) **RESERVATION STATUS.**—Nothing in this Act is intended to affect the boundaries of the Puyallup Reservation, except that the lands described in subsection (c) above in paragraphs (1) through (8), and the Outer Hylebos tidelands property referred to in section VIII of the Settlement Agreement, shall have on-reservation status.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated \$500,000 for the Federal share for the purchase of the lands referred to in subsection (c)(9).

SEC. 5. FUTURE TRUST LANDS.

In accepting lands in trust (other than those described in section 4) for the Puyallup Tribe or its members, the Secretary

shall exercise the authority provided him in section 5 of the Act of June 18, 1934 (25 U.S.C. 465), and shall apply the standards set forth in part 151 of title 25, Code of Federal Regulations, as those standards now exist or as they may be amended in the future.

SEC. 6. FUNDS TO MEMBERS OF PUYALLUP TRIBE.

(a) **PAYMENT TO INDIVIDUAL MEMBERS.**—(1) To the extent provided in advance in appropriation Acts or to the extent funds are provided by other parties to the Settlement Agreement, the Secretary shall place with a financial institution the amount of \$24,000,000 in an annuity fund or other investment program (hereafter in this subsection referred to as the "fund"). The selection of the institution or institutions where the funds will be held and the administration of the funds shall be in accordance with section II of the Settlement Agreement and documents 2 and 3 of the Technical Documents. Amounts earned pursuant to any investment of the fund shall be added to, and become part of, the fund.

(2) Upon attaining the age of 21 years, each enrolled member of the Tribe (determined by the Tribe pursuant to its constitution to have been a member as of the date of ratification of the Settlement Agreement by the Tribe) shall receive a one-time payment from the fund. The amount of such payment shall be determined in accordance with section II of the Settlement Agreement and document 2 of the Technical Documents.

(3) A reasonable and customary fee for the administration of the fund may be paid out of the income earned by the fund to the financial institution with which the fund is established.

(4) Upon payment to all eligible members of the Tribe pursuant to paragraph (2), any amount remaining in the fund shall be utilized in the manner determined by a vote of the members of the Tribe.

(5) There is authorized to be appropriated \$22,350,000 for the Federal share of the fund.

(b) **PERMANENT TRUST FUND FOR TRIBAL MEMBERS.**—(1) In order to provide a permanent resource to enhance the ability of the Tribe to provide services to its members, there is established the Puyallup Tribe of Indians Settlement Trust Fund (hereafter in this subsection referred to as the "trust fund").

(2) Upon appropriation by Congress or to the extent funds are provided by other parties to the Settlement Agreement, the Secretary shall deposit \$22,000,000 into the trust fund. The trust fund shall be invested in accordance with the Act of June 24, 1938 (25 U.S.C. 162a), so as to earn the maximum interest on principal and interest available under that Act. No part of the \$22,000,000 principal may be expended for any purpose. Income earned on the principal or interest of the trust fund shall be available for expenditure as provided in paragraph (3).

(3)(A) The trust fund shall be administered and the funds shall be expended in accordance with section III of the Settlement Agreement and document 3 of the Technical Documents. Income from the trust fund may be used only for the following purposes unless modified in accordance with subparagraph (B):

(i) Housing.

(ii) Elderly needs.

(iii) Burial and cemetery maintenance.

(iv) Education and cultural preservation.

(v) Supplemental health care.

(vi) Day care.

(vii) Other social services.

(B) The purposes of the trust fund may be modified only as provided in document 3 of the Technical Documents.

(4) The fund established under this subsection shall be in perpetuity and inviolate.

(5) There is authorized to be appropriated \$18,800,000 for the Federal share of the trust fund.

SEC. 7. FISHERIES.

In order to carry out the Federal part of the fisheries aspect of the Settlement Agreement, there is authorized to be appropriated \$100,000 for navigation equipment at Commencement Bay to be used in accordance with section A of document 4 of the Technical Documents.

SEC. 8. ECONOMIC DEVELOPMENT AND LAND ACQUISITION.

(a) **ECONOMIC DEVELOPMENT AND LAND ACQUISITION FUND.**—To the extent provided in advance in appropriation Acts, the Secretary shall disburse \$10,000,000 to the Tribe of which—

(1) \$9,500,000 shall be available for the Tribe to carry out economic development consistent with section VI of the Settlement Agreement or to acquire lands; and

(2) \$500,000 shall be available only to support and assist the development of business enterprises by members of the Tribe in a manner consistent with the Settlement Agreement.

There is authorized to be appropriated \$10,000,000 to carry out this subsection.

(b) **FOREIGN TRADE.**—The Congress recognizes the right of the Tribe to engage in foreign trade consistent with Federal law and notwithstanding article XII of the treaty with the Nisqually and other bands of Indians entered into on December 26, 1854, and accepted, ratified, and confirmed on March 3, 1855 (11 Stat. 1132).

(c) **BLAIR PROJECT.**—There is authorized to be appropriated to the Secretary the amount of \$25,500,000 for the Federal share of the costs associated with the Blair project, which shall be carried out in accordance with document 6 of the Technical Documents. For the purpose of this subsection, the Secretary shall transfer such amount to the Department of Transportation of the State of Washington. Such amount may only be used by the Department of Transportation of the State of Washington to carry out the Blair project in accordance with document 6 of the Technical Documents. Operation and maintenance of the Blair Waterway channel shall remain the responsibility of the Secretary of the Army, acting through the Chief of Engineers.

SEC. 9. JURISDICTION.

The Tribe shall retain and exercise jurisdiction, and the United States and the State and political subdivisions thereof shall retain and exercise jurisdiction, as provided in the Settlement Agreement and Technical Documents and, where not provided therein, as otherwise provided by Federal law.

SEC. 10. MISCELLANEOUS PROVISIONS.

(a) **LIENS AND FORFEITURES, ETC.**—(1) None of the funds, assets, or income from the trust fund established in section 6(b) which are received by the Tribe under the Settlement Agreement shall be subject to levy, execution, forfeiture, garnishment, lien, encumbrance, or seizure.

(2) The annuity fund, or other investment program, established in section 6(a) shall not be subject to levy, execution, forfeiture, garnishment, lien, encumbrance, or seizure.

Payments from the fund shall be in accordance with the Act of August 2, 1983 (25 U.S.C. 117a et seq.; commonly referred to as the "Per Capita Act").

(b) **ELIGIBILITY FOR FEDERAL PROGRAMS; TRUST RESPONSIBILITY.**—Nothing in this Act or the Settlement Agreement shall affect the eligibility of the Tribe or any of its members for any Federal program or the trust responsibility of the United States and its agencies to the Tribe and members of the Tribe.

(c) **PERMANENT TRUST FUND NOT COUNTED FOR CERTAIN PURPOSES.**—None of the funds, assets, or income from the trust fund established in section 6(b) shall at any time be used as a basis for denying or reducing funds to the Tribe or its members under any Federal, State, or local program.

(d) **TAX TREATMENT OF FUNDS AND ASSETS.**—None of the funds or assets transferred to the Tribe or its members by the Settlement Agreement of this Act, and none of the interest earned or income received on amounts in the funds established under section 6(a) and (b), shall be deemed to be taxable, nor shall such transfers be taxable events.

SEC. 11. ACTIONS BY THE SECRETARY.

The Secretary in administering this Act shall be aware of the trust responsibility of the United States to the Tribe and shall take such actions as may be necessary or appropriate to carry out this Act and the Settlement Agreement.

SEC. 12. DEFINITIONS.

For the purposes of this Act—

(1) the term "1873 Survey Area" means the area which is within the area demarked by the high water line as meandered and the upland boundaries, as shown on the plat map of the 1873 Survey of the Puyallup Indian Reservation, conducted by the United States General Land Office, and filed in 1874;

(2) the term "Secretary" means the Secretary of the Interior;

(3) the term "Settlement Agreement" means the document entitled "Agreement between the Puyallup Tribe of Indians, Local Governments in Pierce County, the State of Washington, the United States of America, and certain private property owners", dated August 27, 1988;

(4) the term "State" means the State of Washington;

(5) the term "Technical Documents" means the 7 documents which comprise the technical appendix to the Settlement Agreement and are dated August 27, 1988;

(6) the term "Tribe" means the Puyallup Tribe of Indians, a tribe of Indians recognized by the United States;

(7) the term "below the mean high water line" in reference to the submerged lands of the Puyallup Riverbed means "below the ordinary high water mark" in that portion of the river not subject to tidal influence and "below the mean high water line" in that portion of the river which is subject to tidal influence; and

(8) the term "on-reservation status" means a status under which Federal laws and regulations, treaty rights, and rights of sovereignty, which define the rights and responsibilities on trust or restricted lands (including rights-of-way and easements running through such lands within a Federal Indian reservation) apply: *Provided*, That such application is not inconsistent with any provision of the Settlement Agreement.

SEC. 13. EFFECTIVE DATE.

Sections 3 and 9 shall take effect on the effective date of the Settlement Agreement and when all terms are met as stated under section X of the Settlement Agreement.

The SPEAKER pro tempore. Pursuant to the rule, a second is not required on this motion.

The gentleman from California [Mr. MILLER] will be recognized for 20 minutes and the gentleman from Arizona [Mr. RHODES] will be recognized for 20 minutes.

The Chair recognizes the gentleman from California [Mr. MILLER].

GENERAL LEAVE

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 932, the bill presently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to bring to the floor H.R. 932, a bill to provide for the settlement of land claims of the Puyallup Indian Tribe. The bill was reported favorably from the Interior Committee on May 10.

This bill provides for the ratification and implementation of an agreement reached by the tribe, the State of Washington, various local governments, private owners, and others to settle long standing claims—some over 100 years old—raised by members of the tribe.

Litigation and assertion of the Indian claims has clouded title to lands in the Tacoma Area. The absence of a settlement of these claims has been troublesome to the Indians and to others affected by the claims. It is important to the area and affected parties that these issues be finally put to rest.

Just over 4 years ago, the tribe approached various authorities in the area and suggested that they work together to reach a negotiated settlement. A settlement was finally reached and ratified by the tribe last summer. This bill will implement that agreement.

Under terms of the agreement, the tribe will waive its land and land-related claims in Washington State. In return, the various parties—private, State, local, and Federal—will provide an assortment of benefits to the tribe.

I urge my colleagues to join me in supporting enactment of this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. RHODES. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 932, the Puyallup Tribe of Indians Settlement Act of 1989.

We concur with the statements of the chairman and sponsors of H.R. 932 expressed here today. We believe that Federal ratification of and contribution to the settlement agreement between the Puyallup Tribe and their neighboring landowners and local governments is an appropriate step for the Congress to take.

Over the last 25 years the Puyallup Tribe has successfully litigated a variety of claims against private landowners in and around the city and Port of Tacoma, WA, and the courts have upheld the tribe's ownership of and right to use certain lands and resources in this locality. With great foresight, the parties to this conflict diverted from protracted and fractious litigation, and negotiated a settlement that accomplishes two important results. The settlement protects the economic health of the local, State, and national interests, and it promotes cooperation between State, tribal, and local units of government in the regulation and management of the land and related resources which make up the settlement package.

Concern has been expressed about the legal liability of the Federal Government to contribute to the total dollar amount of the settlement. While the United States is neither a party to the litigation, nor bears any strict legal exposure for the conflicts at issue, is incontrovertible that the multitude of conflicting, but well-intentioned, Federal Indian laws and policies enacted during the 19th and 20th centuries have contributed significantly to the disputes that are at the heart of this settlement agreement.

This settlement provides a fair and honorable resolution to the tribe's land claims and secures to the tribe an alternative to the permanent homeland promised to the tribe in the Treaty of 1854. The settlement assures the tribe's long-term economic self-sufficiency and promotes a cooperative partnership between the tribe and their non-Indian neighbors both on intergovernmental matters and on matters pertaining to the economic health of the community.

For all of the foregoing reasons, I strongly urge my colleagues to support the passage of H.R. 932.

Mr. Speaker, I commend the entire Washington delegation and especially the gentleman from Washington [Mr. Dicks] for bringing this matter to us.

Mr. Speaker, I have been involved in a couple of these myself. I know fully well when you have a settlement in matters such as this, it is necessary to act quickly.

I would urge the House to do so.

Mr. Speaker, I yield such time as he may consume to the gentleman from Washington [Mr. CHANDLER].

Mr. CHANDLER. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, over 100 years ago, before Washington became a State, the Puyallup Tribe of Indians was formally recognized by the Federal Government. With this recognition came land—traditional inland coastal and tidal areas where this proud people had made their home and livelihood for centuries.

The creation of a right does not ensure its continued protection, however. Over time, and through various legal maneuverings, the Puyallups lost more of their rightful land claims.

Today we have the opportunity to right a wrong and compensate the Puyallups for these takings. Federal ratification of this negotiated settlement is essential. The settlement is balanced—with contributions not just from the Federal level, but private, State, and local expenditures as well. The Federal share of the settlement is less than 50 percent of the total.

The House should support this settlement. It is not without cost, but it represents money well spent. It is a model of successful negotiation, without litigation, between Indian tribes and local, State, and private entities.

Much of the agreement provides assistance to the Puyallups in the form of job training, funding for tribal social service programs, restoration of salmon runs, and economic development. These will produce permanent dividends for the Indian community and its neighbors.

Without resolving the issues addressed by the agreement, much-needed economic development at the Port of Tacoma could be stalled. Hopes for greater Pacific Rim trade throughout the region could suffer.

In a recent economic study, it was found that removing the clouds on land title could encourage \$500 million in economic investment and the creation of over 6,000 permanent jobs over the next 8 to 10 years. Unless the agreement is implemented, those clouds on land title remain. Years of litigation—a halt to economic development—will result.

There are probably some in this body who question the expenditure of Federal funds for a settlement of this nature, but the alternative is, I'm afraid, protracted litigation, where no one wins but the lawyers.

Finally, I would like to commend my friend and colleague, from the State of Washington [Mr. Dicks] and the outstanding effort he has made on behalf of the negotiated settlement and in drafting the measure before us today. We have a truly bipartisan proposal.

I am proud to support this bill, Mr. Speaker, and urge my colleagues to do the same.

□ 1250

Mr. MILLER of California. Mr. Speaker, I yield 5 minutes to the gentleman from Washington [Mr. McDERMOTT].

Mr. McDERMOTT. Mr. Speaker, I rise in support of H.R. 932, which ratifies and authorizes funding for one of the most comprehensive and complex Indian claims settlements to come before the Congress in a long time. This bill represents an enormous achievement by Congressman NORM DICKS, who pushed the negotiations along over 4 years, to a settlement that is fair to all the parties.

The Puyallup people lived on the shores of Puget Sound for thousands of years before the white man came. Since the 1850's, theirs has been a story like that of many native American tribes—of misunderstanding, conflict, and exploitation. The land whose cedar trees has provided longhouses, canoes, and clothing became Washington's third largest city, the western terminus of the Union Pacific Railroad. The tideflats and fishing grounds that had provided the tribe's food supply became one of the largest ports on the west coast. The Puyallup reservation shrank to 65 acres in the middle of a metropolitan area of over a million people.

More recently, Puyallup land claims have clouded title to some 300 acres, including downtown Tacoma and its port. The result has been a near halt to economic development, modernization of port facilities, and many other activities. People have been unable to sell their houses, or even contract for major repairs. The social conflict has been severe and destructive to all concerned. A few years ago, the tribe initiated settlement talks. Thanks to NORM DICKS and Senator DANIEL INOUE, and thanks to the tribe and all the nontribal parties who stuck with the process over the years, those talks brought about this settlement.

I especially appreciate the work of the tribal council and its chairman, Bill Sterud, and the others in the tribe who came forward to begin the negotiations and saw them through. They could have pursued the legal claims without regard for the consequences to the community, but they chose instead to work for a settlement and a partnership that holds great promise for all the people who now live and work where the Puyallups once hunted and fished.

The settlement recognizes the Federal responsibility in creating the land claims, and provides a fair and appropriate level of Federal participation. It will benefit not only the tribe and its members, but all the people of Pierce County and the State of Washington—

unlocking port facilities to Pacific rim trade, providing the tribe with funds for much needed social services and job training, settling jurisdictional issues.

Equally important, the settlement includes a consultative process for resolving future disputes about land use and fisheries. In that respect, it can provide a model for relations between tribal governments and the State and local governments, in our State and elsewhere.

Mr. Speaker, when I think about Indian land claims I think about Chief Joseph, one of the great Indian chiefs of the Northwest, and what he said nearly a century ago:

I never said the land was mine to do with as I chose. The one with the right to dispose of it is the one who created it. I claim a right to live on my land, and I accord you the privilege to live on yours.

In that spirit, and in recognition of the great achievement this settlement represents, I urge your support for H.R. 932.

Mr. RHODES. Mr. Speaker, I yield such time as he may consume to the gentleman from Washington [Mr. MORRISON].

Mr. MORRISON of Washington. Mr. Speaker, the Federal role in this Puyallup Tribe is really intriguing when you look at the history. Federal treaty, 135 years ago, it was modified by executive orders. In 1857 and 1873, as often we find in the West, there was a questionable survey. No one really knew where the lines were. As a result, Federal commissions were created by Congress in 1890 and 1893.

In other words, Mr. Speaker, there is a history of Federal actions and inactions that bring this issue to Members today. Those Federal actions, however, never led to any conclusions. As we see it, the tremendous potential liability to the U.S. Government, is in fact the issues related to the Puyallup Tribe really never went to court, which is where they were headed without this settlement.

Now, almost 5 years later after negotiations we have an agreement, a practical solution. I think tribute should be paid to our colleague, the gentleman from Washington [Mr. Dicks] and others, including a number of folks at the Federal level who participated in these negotiations. We have an agreement that is of vital interest at the Federal level, and in spite of that, a majority of the cost is borne locally.

I think it is a very good package. It is appropriate that Congress should pass it. I urge support of my colleagues for H.R. 932.

Mr. MILLER of California. Mr. Speaker, I yield 7 minutes to the gentleman from Washington [Mr. Dicks].

Mr. DICKS. Mr. Speaker, I am pleased to rise in support of H.R. 932,

Puyallup Tribe of Indians Settlement Act of 1989.

First of all, I want to commend my colleagues, the gentleman from California [Mr. MILLER], the gentleman from Washington [Mr. McDERMOTT], Frank Ducheneaux, a very able member of the staff of the Committee on Interior and Insular Affairs. I want to thank the gentleman from Alaska [Mr. YOUNG], and the gentleman from Arizona [Mr. RHODES], and Rick Agnew and Kathy Wilson, who have also worked on this. We had tremendous bipartisan support for this settlement.

The Puyallup Tribe was originally on the east side of Puget Sound in Washington State in the vicinity of what is now the city of Tacoma. The tribe was reorganized pursuant to the Indian Reorganization Act of 1934 and has an enrolled membership of approximately 1,400 members.

□ 1300

In 1854, the Puyallup Tribe, along with several other coastal tribes of the Puget Sound Area, entered into the December 26, 1854, Treaty of Medicine Creek with the United States. In the treaty, the tribes ceded to the United States their right to large tracts of land in the Puget Sound Area. They did reserve to themselves certain lands for reservations, but no specific boundaries were set for the reservations.

Shortly after the treaty, Isaac Stevens, the Governor and Superintendent of Indian Affairs of Washington Territory, submitted to the President a description of a reservation for the Puyallup Tribe which was contrary to the promises made to the tribe at the time of the treaty. The area described was not at the mouth of the Puyallup River as described by the tribe, but in the area of what is now downtown Tacoma with poor access to Commencement Bay. As a result of this broken promise, hostilities between the United States and the tribe resulted. The war ended with the Fox Island Conference of August 1956, at which the tribe was promised a large reservation at the mouth of the Puyallup River.

Pursuant to that Fox Island Agreement, the Executive order of January 20, 1857, set aside a new or expanded reservation for the Puyallup Tribe at the mouth of the river. However, the survey of this reservation created two new issues. First, the surveyor described a smaller inland area than the Puyallups understood they were to have. Second, while the reservation extended to the uplands on both sides of Commencement Bay surrounding the mouth of the river, the surveyor drew a straight line from one point to the other, including some critical tidelands, but excluding others. As stated in the August 26, 1873, letter from the

Acting Commissioner of Indian Affairs to the Secretary of the Interior:

The survey was thought to be made so as to give to the Indians this frontage upon the bay, with free access to the water thereof. More recent surveys, however, develop the fact that there is land along the shore, and outside the reservation, arising from an error of the surveyor in leaving the low-water mark, along the shores of said bay, and running a direct line to the place of beginning.

These two issues did not result in any real problems until after the Civil War, when settlers began to flood into the area and to interfere with the tribal use of the tidelands.

Mr. Speaker, I recount this brief history in order for my colleagues here to understand that the reason for the problem we face today in Tacoma, WA, is because of the mistakes that were made by the Federal Government when this reservation was created and the attitude that was taken by the administration and Congress at that time. Today, one hundred and some years later, in Tacoma, WA, we are faced with land claims that affect hundreds and hundreds of businesses and hundreds and hundreds of individuals. The Puyallup Tribe has already brought claims in court that have been upheld by the circuit court of appeals and by the U.S. Supreme Court.

Mr. Speaker, I can tell the Members this: If we do not pass this legislation today, this issue will be revisited, because when the tribe moves people off their lands and out of their homes and out of their businesses, they are going to petition the Congress and say that the mistakes of the original patented land are what resulted in this entire episode, and I think there is contingent liability clearly on the part of the Government of the United States.

But I would say also to my colleagues that this is a positive settlement, a settlement that was worked on by Members of both bodies of Congress. It was a bipartisan effort to try to solve a very difficult problem that continues to exist today. I believe it is an example of how to work with native Americans, how to resolve claims, and how to resolve jurisdictional disputes. That is why I put so much effort into this.

I would also point out to my colleagues that a very important project, the Blair Transportation project, is also funded, and the reason it had to be in this bill was because the tribe had a block on the area where we were going to put the dredge spoils, and without this project being in the bill we would not have been able to get that problem resolved and get that project funded.

So I would just urge my colleagues to give us a positive vote on this particular settlement. Again I want to thank my colleagues from Washington State, Mr. MORRISON, Mr. CHANDLER, and Mr. MILLER. This has been a bi-

partisan effort. I also want to thank the majority leader for his help and guidance on this legislation.

Mr. MILLER of California. Mr. Speaker, will the gentleman yield?

Mr. DICKS. I yield to the gentleman from California.

Mr. MILLER of California. Mr. Speaker, first I would just like to thank the gentleman from Washington [Mr. DICKS] for all his work and his personal involvement. I thank him for his hands-on approach to this problem over the last couple of years. I think it is very clear that without that commitment to getting this solution to the problem and without the gentleman's involvement, we would not be here this afternoon. I just want to commend the gentleman for doing that.

This committee is very often saddled with very difficult issues of Indian settlements and claims and with all of the emotion that brings about. What the gentleman has done is to almost set out a model for people who want to work these problems out in the future. I want to thank the gentleman very much for his efforts.

Mr. FOLEY. Mr. Speaker, will the gentleman yield?

Mr. DICKS. I yield to the majority leader.

Mr. FOLEY. Mr. Speaker, I want to echo the comments of the subcommittee chairman concerning the gentleman from Washington [Mr. DICKS]. His leadership has been absolutely essential to bringing this bill to the floor. It could not have happened without his leadership and his responsible involvement for many years working toward the solution of this difficult problem. I compliment the gentleman. He deserves the thanks of the House.

Mr. SWIFT. Mr. Speaker, will the gentleman yield?

Mr. DICKS. I yield to my colleague, the gentleman from Washington.

Mr. SWIFT. Mr. Speaker, I want to commend the gentleman from Washington [Mr. DICKS]. I know of the months and years he has put into working out a fair solution for both the Indian tribes and the non-Indians. The gentleman is to be commended.

Mr. Speaker, I urge my colleagues to support H.R. 932, the Puyallup Tribe of Indians Settlement Act of 1989, which is being considered by the House today. H.R. 932 has the support of the entire Washington State congressional delegation and recently received unanimous approval from both the House Interior Committee and the Senate Select Committee on Indian Affairs.

Why should the Federal Government make some financial contribution to the settlement? The answer is not simply that it is a noble or generous or good thing to do. There is not charity asked for here.

Rather, the Federal Government—albeit in years far gone in the past—made the judg-

ments, decisions, and errors that created this awkward situation and it now has a responsibility to help in forging a solution that is fair to the Indians and to the non-Indian populations.

To do otherwise would simply mean that the Federal Government created a massive problem and is willing to walk away from the wreckage and let the victims of Federal decisions fight it out as best they can. That is unfair and irresponsible.

NORM DICKS has built a resolution to the problem—one I personally admire enormously. He has done us all a favor in solving this problem and his bill, this bill, deserves our support.

Mr. DICKS. Mr. Speaker, I also want to thank two members of my staff who put in literally many hours, Tim Thompson and Mike Bagley. And again I want to thank the gentleman from Washington [Mr. McDERMOTT] for managing this in the committee. The gentleman did an outstanding job.

Mr. RHODES. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota [Mr. FRENZEL].

Mr. FRENZEL. Mr. Speaker, I rise in opposition to the bill.

Mr. Speaker, occasionally it becomes necessary to be the onion in the petunia patch, and in this case I am going to be a lone voice in disapproval of this bill, despite the brilliant work on the part of the Washington delegation and principally by the gentleman from Washington [Mr. Dicks] in negotiating a difficult situation to an apparently wonderful conclusion.

The only problem is that all of the parties were made whole by a solution which causes the Federal taxpayers to pick up the tab. Suits are dismissed against private parties, and the State and local governments and the port authority get absolved of potential claims. And how do we resolve them? We take the party that did not participate in the negotiations, that is, the Federal taxpayer, and stick the taxpayer for the solution.

The Department of Justice, in a letter appearing in the committee report, says, "There is marginal risk of Federal liability from legal claims that could be relinquished under the settlement, and the \$77 million Federal expenditure is, therefore, not justifiable solely as the settlement of such claims against the United States."

Earlier on there is a statement saying, "The only active litigation dismissed under the agreement is an action by the tribe against several of the non-Indian parties to the agreement, including the Federal Government."

It is a good solution but a rather unfortunate one for the Federal taxpayers. What we really have here is a nice bill for some interests in the State of Washington.

It is one, I think that does not meet the test for approbation for this body.

Mr. RHODES. Mr. Speaker, to conclude the debate on our side, I yield myself such time as I may consume.

Mr. Speaker, I would simply like to say in response to the remarks just made by my friend, the gentleman from Minnesota [Mr. FRENZEL] that when we deal with settling a claim by an Indian tribe, we are in fact dealing with a nation issue. The fact that this particular tribe is located in the State of Washington and the fact that its protagonists are Washington entities does not lessen the relationship between the United States of America and all the citizens of this country and an Indian tribe which has a dispute arising out of its relationship with the United States.

I think our participation in settlement of this dispute is not only appropriate but is called for.

Mr. Speaker, I again congratulate the Washington delegation, including the gentleman from Washington [Mr. Dicks], and I call upon my colleagues to support this bill.

Mr. MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, Mr. ROSTENKOWSKI, the chairman of the Ways and Means Committee, wrote to Chairman UDALL expressing his concern about subsection 10(d) of H.R. 932. This subsection provides that the settlement funds made available to the tribe and its members will not be subject to certain taxes.

This provision was included in the legislation by the parties to the negotiations out of an abundance of caution. The transfer of funds to the Puyallup Tribe as a part of the settlement and the per capita payments to the members out of these funds held in trust by the United States would have been nontaxable under other law.

However, it is clear that the provision does deal with taxation and does fall within the jurisdiction of the Ways and Means Committee. I want to recognize that passage of this bill does not constitute a jurisdictional precedent for future legislation.

Mr. Speaker, under leave to include extraneous matter, I submit a letter from Chairman ROSTENKOWSKI to Chairman UDALL and my response on behalf of Chairman UDALL to that effect to be made a part of the RECORD:

COMMITTEE ON INTERIOR
AND INSULAR AFFAIRS,
Washington, DC, May 23, 1989.

HON. DAN ROSTENKOWSKI,
Chairman, Committee on Ways and Means,
U.S. House of Representatives, Wash-
ington, DC.

DEAR MR. CHAIRMAN: On behalf of Chairman Udall, I am happy to respond to your letter in which you express concern about section 10(d) of H.R. 932, the Puyallup Tribe of Indians Settlement Act of 1989. That subsection deals with the tax treatment of funds or assets made available to the Puyallup Tribe and its members under the terms of the Settlement.

Our Committee recognizes that tax matters fall within the jurisdiction of your Committee. We would not expect that passage of H.R. 932 without referral to your Committee based upon the provisions of sec-

tion 10(d) would represent a jurisdictional precedent for any future legislation.

I appreciate very much your cooperation in this matter.

Sincerely,

GEORGE MILLER,
Ranking Democrat.

COMMITTEE ON WAYS AND MEANS,
Washington, DC, May 23, 1989.

HON. MORRIS K. UDALL,
Chairman, Committee on Interior and Insular Affairs, U.S. House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: It has come to my attention that the bill H.R. 932, which provides for the settlement of land claims of the Puyallup Tribe, contains a revenue measure which is within the jurisdiction of the Committee on Ways and Means.

Section 10(d) of H.R. 932, as reported by the Committee on Interior and Insular Affairs, would provide that any funds or assets transferred to the Puyallup Tribe under the bill, as well as interest earned or income received on amounts in the funds established under the bill, would not be taxable. In addition, section 10(d) would provide that transfers under the bill would not constitute taxable events.

After discussing this issue with the Majority Leader, I understand the urgency surrounding this legislation. However, I must also point out that clause 5(b) of House Rule XXI prohibits the consideration of any revenue matter in the House which has not been reported by a Committee with jurisdiction over such revenue matters.

Notwithstanding this House rule and the fact that H.R. 932 was neither referred to nor reported by the Committee on Ways and Means, I will not object to consideration of this bill under suspension of the rules today. I do not object assuming that we have an understanding between our two committees that, in the future, revenue matters will not be included in legislation reported by the Committee on Interior and Insular Affairs, and that action on H.R. 932 will not be cited as a precedent regarding the jurisdiction of our two respective committees. In addition, should a conference be necessary concerning the tax provisions of this bill, I will request that members of the tax writing committees be appointed as exclusive conferees. Finally, I would request that this letter and any reply from you on behalf of the Committee on Interior and Insular Affairs be printed in the Congressional Record with the general debate on this issue. I am confident that this course of action will satisfy the interests of our two respective committees.

Sincerely,

DAN ROSTENKOWSKI,
Chairman.

Mr. OWENS of New York. Mr. Speaker, I would like to speak in support of H.R. 932 and commend Congressman Dicks, the Puyallup Tribe, and elected officials of the State of Washington, for what appears to be an extraordinary accomplishment in mutual consideration and compromise.

I have a special appreciation for this legislation because it would effect comprehensive resolution of a longstanding dispute that closely parallels a conflict involving claims of the Ute Indian Tribe in the State of Utah.

The case of the Ute Indians involves disputes and claims relating to water rights, police authority, taxation, jurisdiction, busi-

nesses regulating, title to land, ownership and management of fish and wildlife resources, and entitlement to compensation and economic assistance.

As with the Puyallup Tribe, the Utes have won court battles upholding many of their claims, and the litigation continues. As with the Puyallup Tribe and the State of Washington, the conflict has and continues to retard the growth and progress of both the State of Utah and the Ute Indian Tribe.

This settlement demonstrates that Federal, State, and local and private interests and Indian tribes can sit down together to work out rational comprehensive solutions to knotty and emotionally charged problems. I congratulate the Washington delegation and other negotiators of this settlement. I commend the fact that it clearly includes significant contributions from all parties who were affected.

This settlement and legislation represents a challenge to us in Utah; to undertake a comprehensive settlement of the Ute Indian claims with the same good faith and mutual commitment to fairness. With enthusiasm, I urge support of H.R. 932. It will be used as a model for resolving similar challenges in the State of Utah. I am pledged to work toward a comprehensive Utah and Federal settlement with the Ute Indians. I hope the Congress will be equally supportive of the results of our efforts in the State of Utah.

The SPEAKER pro tempore (Mr. MURTHA). The question is on the motion offered by the gentleman from California [Mr. MILLER] that the House suspend the rules and pass the bill, H.R. 932, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A bill to provide for the settlement of land claims, and the resolution of certain issues of governmental jurisdiction, of the Puyallup Tribe of Indians in the State of Washington, and for other purposes."

A motion to reconsider was laid on the table.

□ 1310

PARLIAMENTARY INQUIRY

Mr. SOLOMON. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. MURTHA). The gentleman will state it. Mr. SOLOMON. Mr. Speaker, I thought I heard on the floor here a little while ago a message from the Senate having sent back over to us the supplemental budget, that dire supplemental that we passed last Thursday, and my parliamentary inquiry is:

What is the appropriate procedure for getting a supplemental bill on the floor so that we can consider the Senate amendment?

The SPEAKER pro tempore. The Chair will await the arrival of the chairman of the Committee on Appropriations.

Mr. SOLOMON. Awaiting the arrival?

I would just like to inform the House, Mr. Speaker, that the Republican membership is in full agreement to bring up that dire supplemental to consider the Senate amendment at any time, and we hope that we would have the cooperation of the Democratic leadership as well. I would appreciate being informed when the Committee on Appropriations arrives here on the floor.

APPOINTMENT OF ENLISTED PERSONNEL TO THE AMERICAN BATTLE MONUMENTS COMMISSION

Mr. MONTGOMERY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1414) to provide for the appointment of enlisted members of the Armed Forces to the American Battle Monuments Commission, as amended.

The Clerk read as follows:

H.R. 1414

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. MEMBERSHIP ON AMERICAN BATTLE MONUMENT COMMISSION.

The first section of the Act entitled "An Act for the creation of the American Battle Monuments Commission to erect suitable memorials commemorating the services of the American soldier in Europe, and for other purposes" (36 U.S.C. 121), approved March 4, 1923, is amended by striking out "commissioned officers" in the third sentence and inserting in lieu thereof "members".

SEC. 2. GRAVE LINERS.

(a) IN GENERAL.—Subsection (e) of section 906 of title 38, United States Code, is amended by adding at the end of the following new paragraph:

"(3) The Secretary of Veterans Affairs shall provide a grave liner for each grave in a cemetery within the National Cemetery System if the cemetery—

"(A) was established on or after January 1, 1987; or

"(B) had over 200 interments during the year preceding the year in which the grave liner is to be provided."

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 1989.

SEC. 3. OPERATION OF CERTAIN CEMETERY.

The Secretary of Veterans Affairs shall enter into a contract with the State of Michigan, or the appropriate State agency thereof, under which the Secretary shall, beginning not later than July 1, 1990, operate and maintain the cemetery located in Mackinac Island State Park, Michigan, in accordance with standards applicable to cemeteries in the National Cemetery System.

The SPEAKER pro tempore. Is a second demanded?

Mr. STUMP. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Mississippi [Mr. MONTGOMERY] will be recognized for 20 minutes and the gentleman from Arizona [Mr. STUMP] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Mississippi [Mr. MONTGOMERY].

GENERAL LEAVE

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. MONTGOMERY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 1414 would provide a needed change regarding personnel of the American Battle Monuments Commission. This Commission does an excellent job of maintaining monuments and cemeteries overseas that provide a fitting tribute to the Americans who have died on foreign soil in defense of freedom for all people. The bill also makes important improvements in the National Cemetery System.

Before yielding to the distinguished gentleman from West Virginia [Mr. STAGGERS] for an explanation of the bill, I want to thank him for his work on this measure and for the excellent job he is doing as chairman of our Subcommittee on Housing and Memorial Affairs. He's taking his job very seriously, and the committee is fortunate to have a man of his leadership ability.

I also want to thank the ranking minority member of the subcommittee, the gentleman from Indiana [Mr. BURTON], for his continued cooperation and hard work. The gentleman from West Virginia and the gentleman from Indiana are working together to help our veterans and I'm grateful for what they have accomplished this session.

After the Memorial Day recess, we will have a major veterans housing reform bill on the floor and a second memorial affairs bill has been reported by our committee and referred to the Armed Services Committee. The subcommittee has been busy and I thank all members of the subcommittee for their work on the bill.

Mr. Speaker, I yield such time as he may consume to the gentleman from West Virginia [Mr. STAGGERS].

Mr. STAGGERS. Mr. Speaker, under current law, only commissioned officers of the Armed Forces of the United States may be appointed as members of the American Battle Monuments Commission. Therefore, H.R. 1414 would allow for the appointment of enlisted members of the

Armed Forces to serve on the Commission.

The principal functions of the American Battle Monuments Commission are to commemorate the sacrifices and achievements of the American Armed Forces since April 6, 1917, through the erection of suitable memorial shrines; to design, construct, operate, and maintain permanent American military burial grounds in foreign countries; to control the design and construction of U.S. military monuments and markers in foreign countries by U.S. citizens and organizations both public and private; and to encourage the maintenance of such monuments and markers by their sponsors. In performing these functions, the Commission administers, operates, and maintains 24 permanent American military burial grounds, 14 separate monuments and 4 memorials in 12 countries around the world.

Prior to 1923, no Federal agency was responsible for commemorating the sacrifices and achievements of U.S. Armed Forces. After the allied victory in World War I, many American troop units erected monuments and markers to themselves where they had served in Europe. These monuments and markers came in assorted sizes, shapes, and descriptions. Too often, they bore little relationship to the achievements of the units, were poorly designed and constructed, were erected on land not owned by the units and were without provision for future maintenance.

When the decision was made by the War Department that a Federal agency should be responsible for honoring American Armed Forces where they served, legislation was enacted in 1923 creating the American Battle Monuments Commission. Gen. John J. Pershing was appointed by President Harding to the newly formed Commission in 1923 and was elected chairman by the other members. Gen. George C. Marshall became chairman in 1948, Gen. Mark W. Clark in 1967, Gen. Jacob L. Devers in 1969, and Gen. Andrew J. Goodpaster, the present chairman, in 1985.

The policymaking body of the Commission consists of 11 members who are appointed by the President for an indefinite term and serve without pay. They meet with the professional staff of the Commission once or twice annually. ABMC is staffed by 387 full-time civilian employees and 6 military officers who work for the Commission on a reimbursable basis by arrangement with the Department of Defense. Since its inception, service on the Commission has been limited by law to commissioned officers.

Mr. Speaker, such restriction was not uncharacteristic for the times when the law was adopted in 1923 but since the enlisted serviceman and the noncommissioned and petty officer bear the brunt of the battle preceding

the creation of every memorial, they should be represented on the Commission. Therefore, H.R. 1414 would allow for such appointment.

The bill would also mandate graveliners at all open cemeteries which have been established since 1987 and at cemeteries which have over 200 interments a year.

Mr. Speaker, graveliners were first introduced in the National Cemetery System in 1975 on an experimental basis at 10 locations. The test proved so successful that use was gradually expanded to 30 of the 57 national cemeteries then open. In 1980, however, the administration forced the agency to cut back substantially on the use of graveliners.

Graveliners are rigid outer liners, typically made of concrete, which enclose the casket in order to prevent sinkage and thus reduce overall maintenance costs. As the ground settles over a grave, sinkage occurs and maintenance efforts are required about 10 times over a 20-year period after an interment is made. In each case, the resulting depression must be filled in order to maintain an acceptable standard of cemetery appearance.

In July 1987, the Subcommittee on Housing and Memorial Affairs heard testimony from a variety of witnesses on the potential for using graveliners to improve cemetery operations. It was reported that graveliners are required today in the vast majority of private and denominational cemeteries, a clear demonstration of their effectiveness in reducing costs and improving cemetery appearance. The American Cemetery Association commented that it was "inconceivable" that any modern cemetery operated without them.

Public Law 100-322, which became effective on May 20, 1988, authorized the Veterans' Administration to use graveliners at all national cemeteries. However, only seven cemeteries are using graveliners today. These cemeteries are Calverton, NY; Riverside, CA; Massachusetts National Cemetery; Florida National Cemetery; Houston, TX; Fort Sam Houston, TX; and Fort Snelling, MI.

Graveliners are used by the Department of Veterans' Affairs for four reasons: First, to reduce maintenance requirements by preventing the ground from sinking over a collapsing casket; second, to prevent headstones from sinking and tilting; third, to reduce falls and accidents to employees and visitors when walking over uneven ground; and fourth, to assure that cemetery appearance meets the high standard expected by the public.

Mr. Speaker, a study conducted by consulting engineers at the request of the Veterans' Administration outlined a methodology for determining at individual cemeteries whether graveliners are cost beneficial. The basic finding is that graveliners are cost effective at

cemeteries with over 550 interments a year. Graveliners cost approximately \$100 per unit; and according to the study, the initial cost of graveliners in national cemeteries with over 550 interments a year is recovered in 5 to 7 years with \$21 yearly savings per gravesite thereafter. The recovery period for cemeteries with under 550 interments a year is slightly longer.

Mr. Speaker, the report deals only with cost savings and does not address any of the other advantages cited by the VA resulting from the use of graveliners. The committee believes that preventing headstones from sinking and tilting, reducing falls and accidents due to uneven ground, and improved cemetery appearance has value. The committee has been advised by the Veterans' Administration that mandating graveliners at cemeteries which have been open since 1987 or which have over 200 interments a year makes sense operationally in order to maintain high standards of appearance in our National Cemetery System.

Mr. Speaker, we would also expect the Secretary to use graveliners at any other national cemetery where for reasons of cost effectiveness, appearance, severe weather, soil conditions or other operational considerations, it is appropriate to do so.

Also, in light of rising workload and constrained resources, any savings which are generated should be retained within the National Cemetery System to maintain and improve the appearance of the cemeteries.

Last, the bill would require the Department of Veterans' Affairs to enter into a contract with the State of Michigan to operate and maintain the veterans cemetery located in Mackinac Island State Park.

Fort Mackinac was established as a U.S. military post in 1796. A small post cemetery was located there for burial of soldiers and family members. There are about 110 interments in the cemetery—70 unknown and 30 to 40 known. The first battle of the War of 1812 fought on U.S. soil took place at Fort Mackinac, and 17 dead from that encounter are among those buried. There have been no interments since 1895.

Fort Mackinac became the second national park—after Yellowstone—in 1875. It was turned over to the State of Michigan in 1895 and is now operated by the Mackinac Island State Park Commission.

Mackinac Island covers about 2,200 acres—1,850 of which belong to the State park. About 1 million people visit the island annually. The park is operated with a view toward historical and environmental preservation and toward educational and recreational opportunities for visitors, and the 1-

acre cemetery is operated as an integral part of the park experience.

Mr. Speaker, under the provision of this bill, the Department of Veterans' Affairs would be required to enter into a contract with the State of Michigan by July 1, 1990, to operate and maintain the veterans cemetery located in Mackinac Island State Park.

If an actual transfer were to occur, the committee envisions that the post cemetery would be incorporated into the National Cemetery System as a soldiers' lot or similar entity. In any event, it should be operated and maintained in accordance with policies, standards, and procedures of the National Cemetery System. The Department of Veterans' Affairs would typically contract out for maintenance of a small, closed burial ground like this. At Mackinac, a maintenance agreement could possibly be worked out with the park itself.

According to Mr. David L. Pamperin, director of the Mackinac Island State Park Commission, operating costs are estimated to be \$8,000 to \$10,000 annually. Another \$25,000 would be required for one-time restoration projects.

I wish to commend the chairman of the Veterans' Affairs Committee, SONNY MONTGOMERY, for his great leadership and strong support of this measure as well as BOB STUMP and DAN BURTON, ranking minority members of the full committee and the subcommittee.

Mr. Speaker, this is a good measure, and I urge its favorable consideration.

Mr. STUMP. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I completely concur with the remarks of the distinguished chairman of the full committee, the gentleman from Mississippi [Mr. MONTGOMERY] and I too want to compliment all the members of the subcommittee for their fine work on this legislation.

H.R. 1414 improves the makeup of the American Battle Monuments Commission by authorizing participation by enlisted personnel. The bill also provides for long-term improvements in the National Cemetery System, as described by the gentleman from West Virginia [Mr. STAGGERS].

Mr. Speaker, I yield such time as he may consume to the gentleman from Indiana [Mr. BURTON], the ranking authority member of the Subcommittee on Housing and Memorial Affairs.

Mr. BURTON of Indiana. Mr. Speaker, I thank the gentleman from Arizona [Mr. STUMP] for yielding time to me, and I thank both him and the gentleman from Mississippi [Mr. MONTGOMERY], the chairman of the full committee, for their kind remarks.

Mr. Speaker, I agree with my colleague from West Virginia [Mr. STAGGERS] that this legislation is worthy of our attention. There are many imper-

fections in past legislation which need to be set right in each Congress, but are not addressed because of the many competing priorities of public policy. Some of these are within the Veterans' Affairs Committee's jurisdiction.

This legislation allows enlisted members of the Armed Forces to serve on the American Battle Monuments Commission. Many times, the enlisted men in our military who have answered a call to arms have fallen in their duty and service to this Nation.

H.R. 1414 allows only what should have been included when the Commission was first established. As the ranking minority member of the Housing and Memorial Affairs Subcommittee, I support this bill and encourage my colleagues to support this long overdue legislation to allow the participation by enlisted military personnel on the Commission, and address some technical adjustments concerning graveliners and a Michigan veterans cemetery.

Mr. STUMP. Mr. Speaker, I yield back the balance of my time.

Mr. MONTGOMERY. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi [Mr. MONTGOMERY] that the House suspend the rules and pass the bill, H.R. 1414, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended, and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A bill to provide for the appointment of enlisted members of the Armed Forces to the American Battle Monuments Commission, and for other purposes."

A motion to reconsider was laid on the table.

INDIAN LAW ENFORCEMENT REFORM ACT

Mr. MILLER of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 498) to clarify and strengthen the authority for certain Department of the Interior law enforcement services, activities, and officers in Indian country, and for other purposes, as amended.

The Clerk read as follows:

H.R. 498

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Indian Law Enforcement Reform Act".

SEC. 2. DEFINITIONS.

In this Act, unless the context otherwise requires—

(1) "employee of the Bureau of Indian Affairs" includes an officer of that bureau;

(2) "enforcement" of a law includes the prevention, detection, and investigation of

an offense and the detention and confinement of an offender;

(3) "Indian country" has the meaning given that term in section 1151 of title 18, United States Code;

(4) "Indian tribe" has the meaning given that term in section 201 of the Act of April 11, 1968 (82 Stat. 77; 25 U.S.C. 1301);

(5) "law" includes a regulation authorized by law;

(6) "offense" means an offense against the United States and includes a violation of a Federal regulation relating to part or all of Indian country, and

(7) "Secretary" means the Secretary of the Interior.

SEC. 3. INDIAN LAW ENFORCEMENT RESPONSIBILITIES.

(a) SECRETARIAL RESPONSIBILITY.—The Secretary, acting through the Bureau of Indian Affairs (BIA), shall be responsible for providing, or for assisting in the provision of, law enforcement services in Indian country as provided in this Act.

(b) DIVISION OF LAW ENFORCEMENT SERVICES.—There shall be, within the BIA, a Division of Law Enforcement Services which, under the supervision of the Secretary or the Secretary's designee, shall be responsible for carrying out the law enforcement functions of the Secretary in Indian country and for implementing the provisions of this section.

(c) DIVISION RESPONSIBILITIES.—Subject to the provisions of this Act and other applicable Federal or tribal laws, the Division of Law Enforcement Services, in carrying out its functions, shall be responsible in Indian country, for, inter alia—

(1) the enforcement of relevant Federal law and, with the consent of the Indian tribe, tribal law;

(2) in cooperation with appropriate Federal and tribal law enforcement agencies, the investigation of offenses against criminal laws of the United States;

(3) the protection of life and property;

(4) the reduction of the incidence of crime which adversely affects the quality of life;

(5) the development of methods and expertise to resolve conflicts and solve major crimes;

(6) the provision of criminal justice remedial actions and rehabilitation;

(7) the reduction of recidivism and adverse social effects;

(8) the development of preventive and outreach programs which will enhance the public conception of law enforcement responsibilities through training and development of needed public service skills;

(9) the assessment and evaluation of program accomplishments in reducing crime; and

(10) the development and provision of law enforcement training and technical assistance.

(d) BRANCH OF CRIMINAL INVESTIGATION.—

(1) The Secretary shall cause to be created within the Division a separate Branch of Criminal Investigations which, under such inter-agency agreement as may be reached between the Secretary and appropriate agencies or officials of the Department of Justice and subject to such guidelines as may be adopted by relevant United States Attorneys, shall be responsible for the investigation, and presentation for prosecution, of cases involving violations of the General Crimes Act (18 U.S.C. 1152) and the Major Crimes Act (18 U.S.C. 1153) within Indian country.

(2) The Branch of Criminal Investigations shall not be primarily responsible for the BIA's function of routine law enforcement and police operations in Indian country and, unlike such operations, shall not be subject to contracting under the Indian Self-Determination Act.

(3)(A) Criminal investigative personnel of the Branch shall be subject only to the supervision and direction of law enforcement personnel of the Branch or of the Division. Such personnel shall not be subject to the supervision of the BIA Agency Superintendent or BIA Area Office Director. Nothing in this paragraph is intended to prohibit cooperation, coordination, or consultation, as appropriate, with non-law enforcement BIA personnel at the Agency or Area levels.

(B) The Secretary shall adopt regulations which shall require, and establish a procedure for, active cooperation and consultation of BIA criminal investigative personnel assigned to an Indian reservation with the governmental and law enforcement officials of the Indian tribe located on such reservation.

(e) **LAW ENFORCEMENT PERSONNEL; STANDARDS; PAY COMPARABILITY.**—(1) The Secretary shall establish appropriate standards of education, experience, training, and other relevant qualifications for law enforcement personnel of the Division who are charged with law enforcement responsibilities pursuant to section 4 of this Act.

(2) The Secretary shall also provide for the classification of such positions within the Division at GS grades, as provided in section 5104 of title 5, U.S.C., consistent with the responsibilities and duties assigned to such positions and with the qualifications established for such positions.

(3) In classifying positions in the Division as provided in paragraph (2), the Secretary shall ensure that such positions are classified at GS grades comparable to those for other Federal law enforcement personnel in other Federal agencies in light of the responsibilities, duties, and qualifications required of such positions.

SEC. 4. LAW ENFORCEMENT AUTHORITY.

The Secretary may charge an employee of the BIA with law enforcement responsibilities and may authorize the employee to do any of the following:

- (1) carry firearms;
- (2) execute or serve warrants, summonses, or other orders relating to a crime committed in Indian country and issued under the laws of the United States (including those issued by a Court of Indian Offenses under regulations prescribed by the Secretary) or of an Indian tribe if authorized by the tribe;
- (3) make an arrest without a warrant for an offense committed in Indian country—

(A) in the presence of the employee; or
(B) if the offense is a felony and the employee has reasonable grounds to believe that the person to be arrested has committed or is committing the felony;

(4) offer and pay a reward for services or information or purchase evidence assisting in the detection or investigation of the commission of an offense committed in Indian country or in the arrest of an offender against the United States;

(5) make inquiries of, and administer to, or take from a person an oath, affirmation, or affidavit, concerning any matter relevant to the enforcement or carrying out in Indian country a law of either the United States or an Indian tribe that has authorized the employee to enforce or carry out its laws;

(6) wear a prescribed uniform and badge or carry prescribed credentials;

(7) perform any other law enforcement related duty; and

(8) when requested, assist (with or without reimbursement) any Federal, tribal, State, or local law enforcement agency in the enforcement or carrying out of the laws and regulations they enforce or administer.

SEC. 5. ASSISTANCE BY OTHER AGENCIES.

(a) **SECRETARIAL AGREEMENT WITH OTHER AGENCIES.**—The Secretary may enter into an agreement for the use (with or without reimbursement) of the personnel or facilities of a Federal, tribal, State, or other government agency to aid in the enforcement or carrying out in Indian country of a law of either the United States, or an Indian tribe that has authorized the Secretary to enforce its laws. The Secretary may authorize a law enforcement officer of such an agency to do any of the things which the Secretary may authorize under section 4 of this Act.

(b) **ACCORD WITH U.S. ATTORNEY GENERAL.**—An agreement under this section relating to the enforcement of the criminal laws of the United States shall be in accord with an agreement between the Secretary and the Attorney General of the United States.

(c) **TRIBAL CONSENT.**—The Secretary may not use the personnel of a non-Federal agency under this section if the tribe with jurisdiction over the area of Indian country involved has by resolution objected to the use of that agency's personnel.

(d) **31 U.S.C. 1535; LIMITATIONS ON INTER-AGENCY AGREEMENTS; EXEMPTION.**—Notwithstanding the provisions of section 1535 of title 31, United States Code, the head of a Federal agency with law enforcement personnel or facilities may enter into an agreement (with or without reimbursement) with the Secretary under subsection (a) of this section.

(e) **AGREEMENTS WITH INDIAN TRIBES.**—The head of a Federal agency with law enforcement personnel or facilities may enter into an agreement (with or without reimbursement) with an Indian tribe relating to the tribe's law enforcement authorities or carrying out of a law of either the United States or the tribe.

(f) **STATUS OF NON-FEDERAL PERSONNEL UNDER AGREEMENTS.**—While acting under authority granted by the Secretary under subsection (a) of this section, a person who is not otherwise a Federal employee is deemed an employee of the Department of the Interior only for purposes of section 3374(c)(2) of title 5, United States Code, and sections 111 and 114 of title 18, United States Code; and an "eligible officer" under subchapter III of chapter 81 of title 5, United States Code.

SEC. 6. REGULATIONS.

After consultation with the Attorney General of the United States, the Secretary may prescribe regulations under this Act relating to the enforcement of criminal statutes of the United States.

SEC. 7. JURISDICTION.

(a) **SECRETARIAL JURISDICTION; AGREEMENT WITH ATTORNEY GENERAL.**—The Secretary shall have investigative jurisdiction over offenses against criminal laws of the United States in Indian country subject to an agreement between the Secretary and the Attorney General of the United States.

(b) **COOPERATION WITH OTHER AGENCIES.**—In exercising the investigative authority conferred by this section, the BIA's personnel shall cooperate with the law enforcement agency having primary investigative jurisdiction over the offense committed.

(c) **SAVINGS PROVISION.**—This Act does not invalidate or diminish any law enforcement commission or other delegation of authority issued under authority of the Secretary before enactment of this Act.

(d) **PRESERVATION OF JURISDICTION AND AUTHORITIES.**—The authorities provided by this Act are in addition to, and not in derogation of, any existing authority. This Act alters neither the civil or criminal jurisdiction of the United States, Indian tribes, States, or other political subdivisions or agencies, nor the law enforcement, investigative, or judicial authorities of any Indian tribe, State, or political subdivision or agency thereof, or of any department, agency, court, or official of the United States other than the Secretary.

SEC. 8. UNIFORM ALLOWANCE.

Notwithstanding the limitation in section 5901(a) of title 5, United States Code, the Secretary may provide a uniform allowance for uniformed law enforcement officers under section 4 of this Act of not more than \$400 a year.

SEC. 9. SOURCE OF FUNDS.

Any expenses incurred by the Secretary under this Act shall be paid from amounts appropriated under the Act of November 2, 1921 (42 Stat. 208; 25 U.S.C. 13).

The SPEAKER pro tempore. Is a second demanded?

Mr. RHODES. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from California [Mr. MILLER] will be recognized for 20 minutes and the gentleman from Arizona [Mr. RHODES] will be recognized for 20 minutes.

The Chair recognizes the gentleman from California [Mr. MILLER].

□ 1320

GENERAL LEAVE

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 498, the bill now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 498, a bill sponsored by Mr. RHODES and Mr. UDALL to clarify and strengthen the law enforcement services and authorities of the Department of the Interior in Indian country. Initially an administration proposal, the bill was reported favorably by the Interior Committee.

The bill is needed because the existing law enforcement authorities under which the Bureau of Indian Affairs operates are not sufficiently clear, explicit, or comprehensive.

Lack of explicit authority means that actions taken by BIA law enforcement officials to meet their general responsibilities to maintain law and order in Indian country might be challenged successfully in court.

Let me illustrate. BIA officers do not have explicit authority to carry firearms and make arrests—such as FBI agents or officers of the Park Service have. Therefore, serious concerns have been raised that a court could rule that BIA law officers do not have the authority to make arrests or carry firearms. Obviously, a potential lawsuit of this nature undercuts BIA's effectiveness and certainly creates doubts among Indians about what to expect from BIA.

It is time that we take action to clarify BIA's law enforcement authorities and eliminate the current gray areas.

The Interior Committee held several hearings during this Congress and the last concerning Federal crimes and law enforcement in Indian country. H.R. 498 reflects and incorporates key recommendations made during those hearings.

The bill clarifies the BIA law enforcement responsibilities in several ways. For example, H.R. 498 authorizes the Secretary of the Interior to delineate clearly the law enforcement authorities of the BIA officers, including the authorities to carry firearms and make arrests.

The bill requires that a branch of Criminal Investigations look into violations of Federal criminal law in Indian country. While the FBI presently investigates many such crimes, its personnel and other resources are limited. In fact, its resources do not permit the FBI to look into many of the lesser crimes. The BIA could play an important role and fill gaps left by the FBI.

The bill also requires the Secretary of the Interior to take steps to ensure BIA officers are paid at comparable levels with their counterparts at other agencies. This provision will help the BIA maintain trained and qualified law enforcement personnel.

Mr. Speaker, H.R. 498 is an important step toward providing clearer law enforcement authorities to the BIA. Such a step is widely supported. I urge my colleagues to support this legislation.

Mr. RHODES. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as primary sponsor, I rise in support of H.R. 498, the Indian Law Enforcement Reform Act.

H.R. 498 would clarify and strengthen the authority of the Department of the Interior/Bureau of Indian Affairs to engage in law enforcement activities in Indian country. An identical draft bill was submitted by the administration in the 100th Congress, which I introduced by request as H.R. 3583. The committee conducted a series of hear-

ings on both bills in the 100th and 101st Congress.

The bill as originally introduced accomplished several things:

First, it set forth with specificity the law enforcement responsibilities and authorities of the Department of the Interior in Indian country, including the authority for carrying firearms and executing search and arrest warrants;

Second, it authorized the Secretary of the Interior to enter into law enforcement agreements with other Federal, State, and tribal agencies to aid in the enforcement of laws in Indian country; and

Third, it unequivocally avoided altering any existing Federal, State, or tribal jurisdictional authorities.

An amended version of H.R. 498 was reported favorably out of the committee. The amended version of H.R. 498 includes the following important additions:

First, it establishes and sets forth the program responsibilities of the Bureau of Indian Affairs/Division of Law Enforcement Services and its Branch of Criminal Investigation;

Second, it exempts the Branch of Criminal Investigation from the contract provisions in the Indian Self-Determination Act, but requires the Secretary to establish procedures for cooperation and consultation between the criminal investigative personnel and the tribal governmental officials on an affected reservation;

Third, it subjects the criminal investigative personnel to the supervision and direction of law enforcement professionals within the Division, at both the Area and Central Offices of the Bureau; and

Fourth, it requires the Secretary to establish appropriate education, experience and training standards for officers and to provide a pay scale comparable to those for other Federal law enforcement personnel.

H.R. 498, as amended, has a sound legal foundation and is an expression of good Federal Indian policy.

Since early in this century the law enforcement authority of the Department of the Interior in Indian country has had a very scanty basis. The operation of the Department's entire law enforcement presence in Indian country is based on nothing more than a general statute authorizing the Bureau of Indian Affairs to provide services to Indians, and various annual appropriations acts giving the BIA funds for maintaining law and order on Indian reservations.

Because these laws do not provide clearly stated and comprehensive statutory authorities, the BIA law enforcement officers run the risk of having their authority successfully challenged in court and of being found liable for unauthorized law enforcement actions. A challenge of such au-

thority is bolstered by the fact that virtually every other Federal law enforcement agency within the Department of the Interior has had its enforcement powers delineated through specific statutes.

H.R. 498, as amended, shapes and puts into effect the Criminal Investigation Branch of the BIA. This branch will be responsible for the investigation and presentation for prosecution of violations of Federal criminal laws that occur in Indian country. The law enforcement professionals in this Branch will have their activities guided by an inter-agency agreement between the Secretary of the Interior and appropriate officials within the Department of Justice, and will coordinate their activities with the FBI and the U.S. attorneys.

Professionalism and dependability within the Branch of Criminal Investigation are essential if this approach is to work. Accordingly, the bill as amended establishes that the Criminal Investigation Branch will be exempted from the Indian Self-Determination Act which would otherwise allow tribes to assume responsibility and control for the services provided by the Branch. It provides further that the law enforcement personnel of the Branch will be subject to a chain of command and supervision of law enforcement professionals from the field to the central office, rather than the current regime which allows law enforcement personnel to be supervised by non-law enforcement professionals.

H.R. 498, as amended, includes several provisions that promote interagency law enforcement cooperation and communication in Indian country.

I urge all of my colleagues to support the enactment of H.R. 498, as reported out of committee. This bill is a significant step toward improving the effectiveness of law enforcement activities in Indian country.

Mr. Speaker, I yield such time as he may consume to my colleague, the gentleman from New York [Mr. HORTON].

Mr. HORTON. Mr. Speaker, I thank the gentleman from Arizona for yielding time to me, and I take this time to engage the gentleman from New York and the chairman of the committee in a colloquy.

Mr. Speaker, nearly 11 years ago, I joined with Jack Brooks in authoring the Inspector General Act of 1978. I'm proud to say that we now have IG's in 59 Federal agencies, including all Cabinet departments and major executive agencies, except the CIA. The performance of the IG's has been unanimously praised, with literally billions of dollars in Federal funds having been saved as a result of their efforts to halt waste, fraud, and abuse.

Proposals have recently been made to grant IG investigative agents blan-

ket law enforcement authority. While we are all concerned about the safety of IG agents, it would seem important that before granting such authority Congress should further evaluate the role of IG investigative agents and consider the ramifications of establishing 59 independent law enforcement agencies.

Mr. Speaker, may I ask the gentleman from Arizona [Mr. RHODES], it is my understanding that in reporting H.R. 498 to the House and in bringing it to the floor today for consideration, it was neither the intention nor purpose of the House Committee on Interior and Insular Affairs to provide Department of the Interior inspector general investigative agents with any law enforcement authorities not already provided under current law. It is also my understanding that it was neither the purpose nor intention of the House Committee on Interior and Insular Affairs to establish through H.R. 498, statutory or regulatory means not already provided under current law by which inspector general investigative agents would be granted authority to carry firearms, and execute warrants, subpoenas, and arrests. Is my understanding correct?

Mr. RHODES. Mr. Speaker, if the gentleman will yield, the gentleman's understanding is correct.

Mr. MILLER of California. Mr. Speaker, will the gentleman yield?

Mr. RHODES. I yield to the gentleman from California.

Mr. MILLER of California. Mr. Speaker, I concur in the remarks of the gentleman from New York and the gentleman from Arizona.

Mr. HORTON. Mr. Speaker, I thank the chairman and the gentleman from Arizona.

Mr. RHODES. Mr. Speaker, I thank the gentleman for clarifying that point. I urge my colleagues to join with us in support of this very important law enforcement legislation.

Mr. RHODES. Mr. Speaker, I yield back the balance of my time.

Mr. MILLER of California. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. MILLER] that the House suspend the rules and pass the bill, H.R. 498, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1330

COQUILLE RESTORATION ACT

Mr. MILLER of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 881) to provide

for restoration of the Federal trust relationship with, and assistance to the Coquille Tribe of Indians and the individual members consisting of the Coquille Tribe of Indians and for other purposes, as amended.

The Clerk read as follows:

H.R. 881

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Coquille Restoration Act".

SEC. 2. DEFINITIONS.

For the purposes of this Act—

(1) "Tribe" means the Coquille Indian Tribe consisting of the Upper Coquille and the Lower Coquille Tribes of Indians;

(2) "Secretary" means the Secretary of the Interior or his designated representative;

(3) "Interim Council" means the governing body of the Coquille Tribe which serves pursuant to section 8 of this Act;

(4) "Member" means those persons eligible for enrollment under section 7 of this Act and after the adoption of a tribal constitution, those persons added to the roll pursuant to such constitution;

(5) "service area" means the area composed of Coos, Curry, Douglas, Jackson, and Lane Counties in the State of Oregon;

(6) "State" means the State of Oregon; and

(7) "Reservation" means those lands subsequently acquired and held in trust by the Secretary for the benefit of the Tribe.

SEC. 3. RESTORATION OF FEDERAL RECOGNITION, RIGHTS, AND PRIVILEGES.

(a) FEDERAL RECOGNITION.—Notwithstanding any provision of law, Federal recognition is hereby extended to the Coquille Indian Tribe. Except as otherwise provided therein, all laws and regulations of general application to Indians or nations, tribes, or bands of Indians that are not inconsistent with any specific provision of this Act shall be applicable to the Tribe and its Members.

(b) RESTORATION OF RIGHTS AND PRIVILEGES.—Except as provided in subsection (d) of this section, all rights and privileges of this Tribe and of its members under any Federal treaty, Executive order, agreement or statute or under any other authority, which were diminished or lost under the Act of August 13, 1954 (68 Stat. 724) are hereby restored and provisions of said Act shall be inapplicable to the Tribe and its Members after the date of enactment of this Act.

(c) FEDERAL SERVICES AND BENEFITS.—Notwithstanding any other provision of law and without regard to the existence of a reservation, the Tribe and its members shall be eligible, on and after the date of enactment of this Act, for all Federal services and benefits furnished to federally recognized Indian tribes or their members. In the case of Federal services available to members of federally recognized tribes residing on a reservation, Members of the Tribe in the Tribe's service area shall be deemed to be residing on a reservation. Notwithstanding any other provision of law, the Tribe shall be considered an Indian tribe for the purpose of the Indian Tribal Government Tax Status Act (26 U.S.C. 7871).

(d) HUNTING, FISHING, TRAPPING, AND WATER RIGHTS.—Nothing in this Act shall expand, reduce, or effect in any manner any hunting, fishing, trapping, gathering, or water right of the Tribe and its Members.

(e) INDIAN REORGANIZATION ACT APPLICABILITY.—The Act of June 18, 1934 (48 Stat. 984), as amended, shall be applicable to the Tribe and its members.

(f) CERTAIN RIGHTS NOT ALTERED.—Except as specifically provided in this Act, nothing in this Act shall alter any property right or obligation, any contractual right or obligation, or any obligation for taxes levied.

SEC. 4. ECONOMIC DEVELOPMENT.

(a) PLAN FOR ECONOMIC DEVELOPMENT.—The Secretary shall—

(1) enter into negotiations with the governing body of the Tribe with respect to establishing a plan for economic development for this Tribe;

(2) in accordance with this section and not later than two years after the adoption of a tribal constitution as provided in section 9, develop such a plan; and

(3) upon the approval of such plan by the governing body of the Tribe, submit such plan to the Congress.

(b) RESTRICTIONS TO BE CONTAINED IN PLAN.—Any proposed transfer of real property contained in the Plan developed by the Secretary under subsection (a) shall be consistent with the requirements of section 5 of this Act.

SEC. 5. TRANSFER OF LAND TO BE HELD IN TRUST.

(a) LANDS TO BE TAKEN IN TRUST.—The Secretary shall accept any real property located in Coos and Curry counties not to exceed one thousand acres for the benefit of the Tribe if conveyed or otherwise transferred to the Secretary: *Provided*, That, at the time of such acceptance, there are no adverse legal claims on such property including outstanding liens, mortgages or taxes owed. The Secretary may accept any additional acreage in the Tribe's service area pursuant to his authority under the Act of June 18, 1934 (48 Stat. 984).

(b) LANDS TO BE PART OF THE RESERVATION.—Subject to the conditions imposed by this section, the land transferred shall be taken in the name of the United States in trust for the Tribe and shall be part of its reservation.

(c) LANDS TO BE NONTAXABLE.—Any real property taken into trust for the benefit of the Tribe under this section shall be exempt from all local, State, and Federal taxation as of the date.

SEC. 6. CRIMINAL AND CIVIL JURISDICTION.

The State shall exercise criminal and civil jurisdiction within the boundaries of the reservation, in accordance with section 1162 of title 18, United States Code, and section 1360 of title 28, United States Code, respectively. Retrocession of such jurisdiction may be obtained pursuant to section 403 of the Act of April 11, 1968 (82 Stat. 77).

SEC. 7. MEMBERSHIP ROLLS.

(a) COMPILATION OF TRIBAL MEMBERSHIP.—Within one year of the enactment of this Act, the Secretary shall compile a roll of the Coquille Indian Tribe.

(b) CRITERIA FOR ENROLLMENTS.—(1) Until a tribal constitution is adopted, a person shall be placed on the membership roll if the individual is living, is not an enrolled member of another federally recognized tribe, is of Coquille ancestry, possesses at least one eighth or more of Indian blood quantum and if—

(A) that individual's name was listed on the Coquille roll compiled and approved by the Bureau of Indian Affairs on August 20, 1960;

(B) that individual was not listed on but met the requirements that had to be met to be listed on the Coquille roll compiled and

approved by the Bureau of Indian Affairs on August 29, 1960; or

(C) that individual is a lineal descendant of an individual, living or dead, identified by subparagraph (A) or (B).

(2) After adoption of a tribal constitution, said constitution shall govern membership in the Tribe: *Provided*, That in addition to meeting any other criteria imposed in such tribal constitution, any person added to the roll has to be of Coquille Indian ancestry and cannot be a member of another Federally recognized Indian tribe.

(c) **CONCLUSIVE PROOF OF COQUILLE ANCESTRY AND DEGREE OF INDIAN BLOOD QUANTUM.**—For the purpose of subsection (b) of this section, the Secretary shall accept any available evidence establishing Coquille ancestry and the required amount of Indian blood quantum. However, the Secretary shall accept as conclusive evidence of Coquille ancestry information contained in the Coquille roll compiled by the Bureau of Indian Affairs on August 29, 1960 and as conclusive evidence of Indian blood quantum the information contained in the January 1st, 1940, Census Roll of non-reservation Indians of the Grand Ronde-Siletz Agency.

SEC. 8. INTERIM GOVERNMENT.

Until a new tribal constitution and bylaws are adopted and become effective under section 9 of this Act, the Tribe's governing body shall be an Interim Council. The initial membership of the Interim Council shall consist of the members of the Tribal Council of the Coquille Tribe on the date of enactment of this Act, and the Interim Council shall continue to operate in the manner prescribed for the Tribal Council under the tribal bylaws adopted on April 23, 1979. Any new members filling vacancies on the Interim Council must meet the criteria for enrollment in section 7(b) of this Act and be elected in the same manner as are Tribal Council members under the April 23, 1979 bylaws.

SEC. 9. TRIBAL CONSTITUTION.

(a) **ELECTION; TIME AND PROCEDURE.**—Upon the completion of the tribal membership roll and upon the written request of the Interim Council, the Secretary shall conduct, by secret ballot, an election for the purpose of adopting a constitution for the Tribe. Absentee balloting shall be permitted regardless of voter residence. In every other regard, the election shall be held according to section 16 of the Act of June 18, 1934 (48 Stat. 984), as amended.

(b) **ELECTION OF TRIBAL OFFICIALS; PROCEDURES.**—Not later than one hundred and twenty days after the Tribe adopts a constitution and bylaws, the Secretary shall conduct an election by secret ballot for the purpose of electing tribal officials as provided in the tribal constitution. Said election shall be conducted according to the procedures stated in paragraph (a) of this section except to the extent that said procedures conflict with the tribal constitution.

The SPEAKER pro tempore (Mr. MURTHA). Is a second demanded?

Mr. RHODES. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from California [Mr. MILLER] will be recognized for 20 minutes and the gentleman from Arizona

[Mr. RHODES] will be recognized for 20 minutes.

The Chair recognizes the gentleman from California [Mr. MILLER].

GENERAL LEAVE

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 881, the bill now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 881, a bill to provide Federal recognition for the Coquille Indian Tribe. This bill was recently reported favorably by the Interior Committee.

The Federal Government terminated recognition of the Coquille Tribe in 1954 over the strong objections of the Tribe.

Enactment of this bill will restore all rights and privileges of the tribe and its members lost because of the Federal termination action.

The tribe has about 550 members, many of whom live in the Coos Bay, OR, area. Many of these individuals are descendants of Indians who were earlier removed from these lands by the Federal Government, but who subsequently returned to their aboriginal lands.

The tribe is organized. It holds regular meetings and elections and has maintained an updated membership roll.

Mr. Speaker, the termination era was one of the darkest periods of Federal Indian policy. It represented an attempt to eradicate government-to-government relations, abolish cultural values, and abrogate treaties. That era is over and let us hope it will never return. However, we have an obligation to correct mistakes made during termination. This legislation is one such bill.

It is our committee's conclusion that Federal recognition should be returned to this tribe. I urge my colleagues to support this bill.

Mr. Speaker, I yield 5 minutes to the gentleman from Oregon [Mr. DeFAZIO], who has worked so terribly hard on this legislation, for an explanation of the bill.

Mr. DeFAZIO. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in support of H.R. 881, a bill to restore the Coquille Tribe of Oregon. The Coquilles are among the western Oregon Indian tribes terminated by Congress in 1954 under the now discredited assimilation policy of that day. Of the Oregon terminated tribes the Coquilles are the last to seek restoration by Congress.

The others, including the Confederated tribes of Coos, Lower Umpqua, and Siuslaw Indians and the Cow Creek Band of Umpqua Indians, both located in my district, were restored by individual acts in recent years.

Congress acted in 1956 to terminate the western Oregon tribes because of a determination to assimilate Indians into the dominant white culture. The argument at the time was that Indians would be better served by being relieved of the Federal trust relationship.

The consequence was economic and cultural disaster. Tribal members were no longer eligible for Indian health and education programs. The ability of the tribe to function as a sovereign entity was lost. Tribal members scattered and the identity of the Coquilles as a living part of Oregon's heritage faded. Economic surveys of the terminated tribes have repeatedly found that tribal members were among the most economically disadvantaged in their communities.

Restoration means reestablishment of Federal health, education, and economic development services as well as the important benefits of a government-to-government relationship with the United States. H.R. 881 provides Federal recognition of the Coquille Tribe and establishes eligibility for Federal Indian services.

H.R. 881 is cosponsored by the entire Oregon House delegation. I have received numerous resolutions of support from southwestern Oregon including the boards of commissioners from Curry and Coos Counties as well as local port authorities, city councils, and State and local officials. I am proud to sponsor this bill and I urge the Members to approve it.

Mr. RHODES. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 881, the Coquille Restoration Act, which restores Federal recognition to the last of a handful of small tribes in western Oregon which had their political relationship with the United States terminated by Congress in the 1950's.

The Republican members of the committee believe this bill is justified for several reasons. First, the Western Oregon Termination Act was passed over the strong objection of the tribe. Second, in spite of the termination, the tribe and its members have continued to maintain their governmental structure and tribal membership roll.

Third, this bill is very similar to the other restoration bills enacted by Congress for terminated tribes in western Oregon. The bill reinstates the eligibility of the tribe and its members for Federal services and benefits, authorizes the acquisition of a land base for the tribe, and directs the preparation

of an economic development plan for the tribe.

The administration has gone on record as opposing this bill. The administration's opposition is based on its belief that the Coquille Tribe should be required to seek Federal recognition through the administrative recognition process within the Department of the Interior. We have considered the position of the administration on this point and have determined that we cannot accommodate it in this case. Because Congress acted in the 1950's to terminate the Federal relationship with the Coquille Tribe, we believe that Congress should assume the responsibility for restoring this relationship.

For these reasons, I urge my colleagues to support H.R. 881 and the restoration of the Coquille Tribe.

Mr. Speaker, I yield such time as he may consume to the gentleman from Oregon [Mr. ROBERT F. SMITH].

Mr. ROBERT F. SMITH. Mr. Speaker, I am here to support the position of my colleague, the gentleman from Oregon, to reestablish the Coquilles as a tribe within the canopy of the Bureau of Indian Affairs.

Mr. Speaker, 35 years ago this Nation made a mistake. It was attempting, I think at that time in good faith, to reestablish the Indians as part of the modern fiber of America, and in doing so, it forgot about the fact that Indians have been deprived, are deprived now, and since that time to the point that this small tribe, the last of 63 tribes, has been reestablished as an official tribe to qualify under Federal support systems for Indians for education benefits, for economic benefits, and for health benefits.

It is no secret that we are trying to rectify what occurred 35 years ago, as we did, and as this Congress supported me last year in reestablishing the Klamaths on a tribal basis status.

Mr. Speaker, I am here to join with my colleague, the gentleman from Oregon [Mr. DEFazio]. I congratulate him for this legislation. Every member of the Oregon delegation supports this legislation. There is no reason, even though the administration may oppose it, that it ought not to have unanimous support from this Congress.

Mr. RHODES. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I join in congratulations to the Oregon delegation, especially the gentleman from Oregon [Mr. DEFazio] for moving this legislation to this point.

Mr. Speaker, I urge its unanimous support.

Mr. Speaker, I yield back the balance of my time.

Mr. MILLER of California. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. MILLER] that the House suspend the rules and pass the bill, H.R. 881, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended, and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

AUTHORIZING TRANSFER TO THE REPUBLIC OF THE PHILIPPINES OF TWO EXCESS NAVAL VESSELS

Mr. SOLARZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2344) to authorize the transfer to the Republic of the Philippines of two excess naval vessels.

The Clerk read as follows:

H.R. 2344

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AUTHORITY TO TRANSFER CERTAIN EXCESS NAVAL VESSELS TO THE PHILIPPINES.

(a) **AUTHORITY TO TRANSFER WITHOUT CHARGE.**—The Secretary of the Navy is authorized to transfer to the Republic of the Philippines without charge a floating drydock, the ex-AFDL-40, and a medium yard tug, the ex-YTM-776.

(b) **APPLICABLE LAW.**—Any transfer of a vessel under subsection (a) shall be in accordance with chapter 2 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2311 and following), except that section 632(d) of that Act (22 U.S.C. 2392(d)) shall not apply with respect to that transfer.

(c) **TERMS OF TRANSFER.**—Any transfer of a vessel under subsection (a) shall be subject to such terms and conditions as the President may require.

(d) **EXPENSES.**—Any costs incurred in the transfer of a vessel under subsection (a) shall be at the expense of the Republic of the Philippines.

(e) **EXPIRATION OF AUTHORITY.**—The authority granted by this section shall expire at the end of the 2-year period beginning on the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, a second is not required on this motion.

The gentleman from New York [Mr. SOLARZ] will be recognized for 20 minutes and the gentleman from Michigan [Mr. BROOMFIELD] will be recognized for 20 minutes.

The Chair recognizes the gentleman from New York [Mr. SOLARZ].

Mr. SOLARZ. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I will be quite brief. I think this is a relatively noncontroversial bill. It passed at the end of the last session of Congress here in the House, but time ran out before the request could be approved by the Senate.

Consequently we are back here today seeking approval, at the request of the administration, to transfer on a

grant basis two surplus naval vessels, a floating drydock and a medium yard tug to the Philippines.

Mr. Speaker, the Pentagon has determined that these two vessels, the floating drydock and the tug, are not needed by the U.S. Navy any longer. They no longer count toward the objective of the 600-ship Navy. We no longer have any use for them. It turns out, however, that our friends in the Philippines can use them, and consequently the administration has decided that it would be appropriate to give these two vessels which we no longer need to the Filipinos.

Mr. Speaker, this legislation also provides that the Philippines will pay for the costs of bringing this tug and the floating drydock over to the Philippines. Mr. Speaker, the alternative would be for us to scuttle these two vessels which would cost us some additional money in order to enable them to be towed out to sea.

□ 1340

Mr. Speaker, the Philippines is one of our closest friends in Asia. They have worked with us in an effort to preserve the peace in the region.

They have a lot of difficulties there at the present time: Substantial poverty, a Communist insurgency, a substantial foreign debt. But enormous progress has been made over the course of the last few years by President Aquino and her government in establishing a firm foundation for democracy.

This is a very modest gesture on our part to provide some additional help for the Philippines. I think we should do it. The administration has asked us to do it.

I believe the legislation enjoys broad bipartisan support from both sides of the aisle, and I urge its adoption by the House.

Mr. BROOMFIELD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to join with my friend, the gentleman from New York [Mr. SOLARZ] in the sponsorship of this bill.

Mr. Speaker, I understand the administration strongly supports this legislation and I have received notice from OMB of the administration's support.

I would like to express my personal support for this legislation.

The United States and the Philippines have enjoyed a long friendship based on common values and interests. Our military assistance to the Philippines is a sign of that friendship and our commitment to assist the democracy in that country.

The young democracy in the Philippines needs our support. The Aquino government is threatened by Communist forces attempting to thwart the

return of democracy to the Philippines. The New People's Army is waging a ruthless guerrilla war. Furthermore, the Soviet Union has a significant naval presence in East Asia, to intimidate the free nations of that region.

This legislation will allow the United States to transfer two naval vessels to the Philippines at no cost to the American taxpayer. They are a tangible symbol of America's commitment to the Philippines.

I urge my colleagues to support this measure.

Mr. FASCELL. Mr. Speaker, I rise in support of H.R. 2344, to provide authority for the transfer to the Philippines of a floating drydock and a medium yard tug which have been declared excess by the United States Navy. This legislation makes a small but important contribution to the ongoing close military relationship between the United States and the Philippines. It should be emphasized that these vessels have already been retired and removed from the naval registry. If they were not transferred to another country, their disposal would result in additional costs to the taxpayer.

These vessels will help the modernization program of the Philippine Navy. The legislation also provides that the transfer costs will be paid by the Government of the Philippines. Thus an important foreign policy objective can be advanced at minimum cost.

Mr. Speaker, the legislation has full bipartisan support and I urge its adoption.

Mr. BROOMFIELD. Mr. Speaker, I yield back the balance of my time.

Mr. SOLARZ. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MURTHA). The question is on the motion offered by the gentleman from New York [Mr. SOLARZ] that the House suspend the rules and pass the bill, H.R. 2344.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SOLARZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include therein extraneous material on H.R. 2344, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

SENSE OF CONGRESS WITH RESPECT TO ASSASSINATION OF COL. JAMES ROWE IN THE PHILIPPINES

Mr. SOLARZ. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 121) to express the sense of the Congress with respect to the assassination of Col. James Rowe in the Philippines.

The Clerk read as follows:

H. CON. RES. 121

Whereas on April 21, 1989, Colonel James N. Rowe, the Chief of the Ground Forces Division of the Joint United States Military Assistance Group in the Philippines, was brutally assassinated while en route to his office; and

Whereas in a press statement the day after this murderous act was committed, Rolly Kintanar, the Chief of Staff of the General Command of the New People's Army, stated not only that the New People's Army was responsible for Colonel Rowe's murder but that the New People's Army would continue to attack American personnel and installations in the Philippines: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) categorically rejects any attempts by the New People's Army, whether through assassinations or through other methods of violence or intimidation, to force the United States to withdraw from military facilities in the Philippines or to end its support for the democratically elected Government of the Philippines;

(2) declares that the United States should continue to provide economic and military assistance to the Philippines in order to facilitate efforts by the government of the Philippines to consolidate democracy, address the underlying economic problems that confront that country, and combat the New People's Army insurgency; and

(3) further declares that the United States will not be deterred from utilizing all military facilities in the Philippines to which the United States currently has access pursuant to the military bases agreement between our two countries.

The SPEAKER pro tempore. Pursuant to the rule, a second is not required on this motion.

The gentleman from New York [Mr. SOLARZ] will be recognized for 20 minutes and the gentleman from Michigan [Mr. BROOMFIELD] will be recognized for 20 minutes.

The Chair recognizes the gentleman from New York [Mr. SOLARZ].

Mr. SOLARZ. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, about a month ago a genuine American hero, Col. James Rowe, the first American POW to escape from captivity in Vietnam, was brutally assassinated by a sparrow's squad of the Communist dominated New Peoples Army in the Philippines.

The purpose of this resolution today is to send a very clear message to the leadership of the Communist Party of the Philippines and their military arm, the New Peoples Army, that the United States will not be intimidated by threats or acts of assassination into

withdrawing from military facilities in the Philippines, which by virtue of a treaty with the Philippines we have every right to utilize. Nor will we, as a result of these threats and attempts at intimidation, walk away from our obligations to the duly elected Government of the Philippines.

I do not know whether the action of the Congress today will persuade the NPA and the CPP in the Philippines to desist from this dastardly course of action. They have issued threats against the lives of many Americans in the Philippines who are engaged in some way with efforts to help the Government of the Philippines cope with this violent challenge to the duly constituted democratic system of government in their country.

As we speak, these men and women, representatives of the United States, are risking their lives to help a friendly democracy survive in Asia. We would be remiss in our responsibilities, both to those men and women whose lives may be at stake as well as to our Filipino friends who are so deeply committed to the cause and concept of democracy, which is what our country is all about, if we were not to take this action today and make it clear that we are not going to be intimidated by such acts of assassination now or in the future.

Colonel Rowe cannot unfortunately be called back to life. But by passing this resolution today, which provides a renewed expression of American support for our friends in the Philippines, we help to assume that Colonel Rowe did not die in vain.

Mr. Speaker, I call upon my colleagues on both sides of the aisle who share my anguish over the assassination of Colonel Rowe to join with me, and with the members of the Foreign Affairs Committee who reported this resolution out a short while ago, in voting for this effort to put the U.S. Congress on record that we will not be intimidated by threats or acts of violence in the Philippines now or in the future.

Mr. BROOMFIELD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to express my support for this resolution and express my deepest sympathy to Colonel Rowe's family. His children should know of our undying respect for their father's sacrifice.

The cost of freedom has always been high. No one knows better than the families of those Americans who have paid the ultimate price. It is appropriate that Congress should honor the sacrifice that Col. James Rowe made for his country and the Filipino people.

Col. James Rowe was assisting the Filipino Army in its fight against the New People's Army. He was one of

many brave and dedicated Americans waging the twilight struggle against tyranny in the Philippines.

The New People's Army can murder a man, but they cannot destroy an idea. The idea of freedom and democracy lives in the hearts of Americans and Filipinos alike. We stand together in the struggle for freedom from the tyranny that the New People's Army represents.

I urge my colleagues to support this resolution, to honor the memory of Col. James Rowe.

□ 1350

Mr. Speaker, I yield such time as he may consume to the gentleman from Wisconsin [Mr. ROTH], a member of the Committee on Foreign Affairs.

Mr. ROTH. I thank the gentleman for yielding time to me.

Mr. Speaker, I urge my colleagues to read this resolution before voting on it. Seen in the bright light of Colonel Rowe's distinguished career and his ultimate sacrifice, this measure is inadequate and inappropriate. We can—and should—do better by Colonel Rowe.

Some of my colleagues might wonder why this question is being raised. My response is that Col. James Rowe is that rarest and most precious of national treasures: a true national hero. Instead of honoring Colonel Rowe's memory, this resolution is being used to make a political statement about our monetary support for the Philippine Government.

On a day when we should be honoring a brave soldier and patriot, some in this Chamber seek to play international politics with his memory. To me, this is unseemly.

Let each Member of this House ask: Of what value is this resolution to Colonel Rowe's widow, to his children, or to his family? Is this resolution the language you would use to honor a man who dedicated his life to this country? How pitiful is this measure for a man of Colonel Rowe's bravery.

Consider Col. James Rowe's career. Captured in Vietnam, he spent 5 years in a POW camp, enduring torture, solitary confinement, and starvation. Yet he summoned the strength and courage to escape, the first American to make it back from his imprisonment.

In battle, Colonel Rowe proved his bravery. A grateful Nation bestowed on him the Silver Star, two Bronze Stars, the Legion of Merit, and two Purple Hearts.

To honor its fallen heroes is a timeless duty of nations. The ancient Greeks are unequalled in their stirring eloquence. Rather than this resolution, Colonel Rowe's memory would be better honored by this immortal passage from Thucydides' Funeral Oration of Pericles:

So they gave their bodies to the commonwealth and received praise that will never

die, and with it the grandest of all sepulchers, not that in which their mortal bones are laid, but a home in the minds of men, where their glory remains fresh to stir speech or action.

Those words are the kind of honor Colonel Rowe deserves. Let us withdraw House Concurrent Resolution 121 and rewrite it to meet a higher standard, one that is fitting for a hero who gave his life for his country.

Mr. Speaker, I include a proposed resolution with my statement:

A RESOLUTION INTRODUCED BY MR. ROTH

Whereas Colonel James N. Rowe served his country with honor and distinction throughout his career in the United States Armed Forces;

Whereas Colonel Rowe repeatedly demonstrated his bravery and professional excellence, earning the Silver Star, the Legion of Merit, two Bronze Stars, the Meritorious Service medal, and two Purple Hearts;

Whereas Colonel Rowe's five years' captivity in a Vietcong prison camp, where he was subjected to beatings, torture, deprivation of food and water, and periods of isolation up to 23 months, left no lasting mark of bitterness upon him, but rather became the source of valuable lessons that he imparted as an instructor to other soldiers and to the general public through his books and writings;

Whereas Colonel Rowe was the first American to escape from a Communist prison camp in the Vietnam war;

Whereas Colonel Rowe was slain on April 21, 1989 in Manila, where he served as the chief United States military adviser to the Philippine armed forces;

Whereas the assailants, members of the Communist New People's Army, assassinated Colonel Rowe precisely because he was a distinguished representative of the United States Armed Forces; and

Whereas Colonel Rowe is survived by his wife and four children: Therefore, be it

Resolved, That the Congress—

Recognizes that Colonel James N. Rowe was an exemplary officer;

Declares that Colonel Rowe is entitled to the grateful remembrance of every American;

Condemns the assassination of Colonel Rowe as a cowardly, terrorist act;

Urges the appropriate authorities to make all possible efforts to bring the assailants to justice;

Expresses to Colonel Rowe's wife and children the deepest sympathies of the American people; and

Further declares that Colonel Rowe's bravery, dedication, and sacrifice are a shining example of heroism, patriotism, and honor, for all Americans to cherish as the ultimate contribution by a true hero.

Mr. SOLARZ. Mr. Speaker, I yield myself such time as I may consume in order to conclude for the majority.

Mr. Speaker, I feel compelled to say that my very good friend from Wisconsin seems to have misunderstood the purpose of this resolution. The purpose of the resolution was not to deliver a eulogy for Colonel Rowe. That was done appropriately on the occasion of his funeral.

Mr. Speaker, I was at the funeral services for Colonel Rowe. I am not sure that I recognized my very good friend from Wisconsin at the time

those services were conducted. Several Members of this House who went to the funeral services, including among them those like myself who had never met him personally, did so because we wanted to personally participate in the tribute which was paid at that time to the memory of this extraordinary and patriotic American.

The purpose of this resolution today, however, is to make a statement of American policy, that the United States is not going to be intimidated by those who were responsible for the assassination of Colonel Rowe.

Why does my friend on the other side of the aisle think Colonel Rowe was killed? It was not an accident, it was not because he had had some argument with some Filipino who decided to execute him.

He was murdered because the Communist Party of the Philippines wanted to send a message to the United States of America. That message was that unless we walked away from the Philippines, unless we stopped utilizing our bases, unless we stopped continuing to provide assistance to the Government of the Philippines in order to enable it to do a better job in countering this Communist insurgency, they might kill additional Americans in the future.

The message was clear and most of us understood exactly what this message was intended to do.

We were faced with several alternatives. We could have ignored this murderous act. But if we had done so, those who were responsible for the murder of Colonel Rowe might have concluded that we were afraid to respond, that their message had sunk home and that perhaps we might consider doing the very things they murdered Colonel Rowe for in order to have us do.

Or, we had another alternative: to send the message back, which we are attempting to do in this resolution, in which we say to those responsible for the assassination of Colonel Rowe: "Your efforts have not succeeded and they will not succeed."

Let me assure my friend from Wisconsin this is not some subtle or sophisticated effort on our part to build a record in favor of new spending initiatives for the Philippines. That will come up at a later time and will be dealt with separately.

This resolution has one purpose and one purpose only, to send a message right back to those people in the Philippines responsible for the murder of an extraordinarily distinguished American colonel.

I have to believe that the other dedicated Americans working in the Philippines who, like Colonel Rowe, are on the list of potential targets—and there is such a list and as we speak their lives are in danger—would want us to

pass this resolution. There is at least a chance that if those responsible for this murder can get it through their thick skulls that a great power like the United States does not turn tail and run simply because they are threatening American lives, that maybe they will think twice before they murder another American.

I do not know if they will think twice; possibly they will not. I am not overly optimistic. But I say to my friend from Wisconsin and to the other Members of this House that we have an obligation to pass this resolution, in order to let the Communists in the Philippines know that they cannot intimidate us.

What is the alternative? To turn tail and run, to leave bases that are essential in terms of our capacity to preserve the peace and maintain a balance of power in Asia and the elimination of which would send shock waves throughout the region? To turn our backs on democracy in the Philippines? To cut off American aid to a struggling democracy that needs our help in order to translate the promises of democracy into a better life for the Filipino people? Is that the alternative?

I do not think anybody here would want to accept such an alternative. So I think this is the least that we can do.

But let me assure my friend, the gentleman from Wisconsin [Mr. ROTH] that I share entirely the eloquent tribute he paid to Colonel Rowe. I heard equally eloquent tributes paid to him at the funeral service in his honor which seemed to me to be the suitable occasion for it.

□ 1400

If the gentleman from Wisconsin feels that was not sufficient, I would be more than pleased to participate in a special order in honor of Colonel Rowe in which Members of the House would be free to express their views about the services which this great man contributed to his country.

Mr. Speaker, I yield such time as he may consume to the gentleman from Florida [Mr. FASCELL].

Mr. FASCELL. Mr. Speaker, I thank the chairman of the subcommittee and join him in the eloquent remarks that he has just made with regard to Colonel Rowe, and I rise in full support of this legislation.

Mr. Speaker, I rise in support of House Concurrent Resolution 121, expressing the sense of Congress regarding the brutal assassination of Col. James N. Rowe by the New People's Army, a terrorist organization in the Philippines. Colonel Rowe was a dedicated military officer, serving as Chief of the Ground Forces Division of the Joint United States Military Assistance Advisory Group at the time of his death.

The New People's Army has apparently launched a campaign against United States nationals and facilities in the Philippines in an effort to force the government of Cory Aquino

to abrogate the bases agreement. The resolution states the determination of the American people not to be deterred by such heinous acts of terrorism as that which brought down Colonel Rowe, and declares that the United States presence in the Philippines, both military and economic, will be in no way altered by this incident. The mutual interests of the Philippines and the United States continue to be served by our friendship and by the substantial volume of United States assistance provided, and the processes of democracy so important to the Philippines future will be nurtured by the continuance of our present policy.

Our sympathy goes out to the family and friends of Colonel Rowe, and to all those whose lives have been affected by other acts of violence against such dedicated U.S. servants as he.

Mr. SOLARZ. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BROOMFIELD. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin [Mr. ROTH].

Mr. ROTH. Mr. Speaker, my resolution condemns assassination and it sends a strong message and it does an honor to the memory of Colonel Rowe.

The resolution before us mentions Colonel Rowe only twice, and the perpetrators five times, and it does not mention Colonel Rowe in the operative parts of the resolution.

Mr. Speaker, we have 435 Members of Congress. All can think for themselves. All can read the resolution. It is very short. I hope that they will vote this sham resolution down and pass a resolution which Congress can be proud of, and pass a resolution that will do justice to the memory of Colonel Rowe, to his wife, and to his children, and something we can hand to them with pride. This resolution we cannot.

Mr. CRANE. Mr. Speaker, I rise in heartfelt support for House Concurrent Resolution 121, to express the sense of the Congress with respect to the assassination of Col. James John Nicholas Rowe in the Philippines. Col. Nick Rowe was shamelessly assassinated by a Communist terrorist group in Quezon City, outside Manila, the Philippines. Colonel Rowe was serving his country as a member of the armed services in the position of Ground Forces Director for the Joint United States Military Advisory Group Headquarters. This courageous soldier exemplified the American soldier and could, without any reservation be considered a hero.

The loss of any soldier who is serving his country is a terrible loss. The loss of this Green Beret who served his country in Vietnam was a tragedy. Colonel Rowe graduated from the U.S. Military Academy in 1960 as a second lieutenant in field artillery. Not satisfied with doing the minimum, Colonel Rowe graduated from two of the Army's more prestigious and difficult courses, the Army's Airborne School and Ranger School, both located at Fort Benning, GA. In 1961, he completed the field artillery officers basic course at

Fort Sill, OK. Colonel Rowe then accepted the assignment that the ordinary avoid: service with the U.S. Army Special Forces. His first assignment was with the 7th Special Forces Group, Fort Bragg, NC, and in 1962 he graduated from the U.S. Army unconventional warfare school at Fort Bragg. In July 1963, Colonel Rowe deployed to the jungles of Vietnam, where the Green Berets were working as military advisers and joined A-Detachment A-23. Later that year, Colonel Rowe was captured by the Vietcong after a firefight.

In captivity, Colonel Rowe faced torture, solitary confinement, starvation, mental and physical abuse, and medical neglect. For 5 long years, he refused to give into the indoctrination rituals of the Vietcong and managed three escape attempts. After being pegged as a Special Forces soldier and marked for execution, Colonel Rowe attempted to flee his captors one more time. He was successful. Colonel Rowe returned from Vietnam as a genuine American hero. But Colonel Rowe did not end this prestigious and courageous career here, he continued to serve his country and was assigned to the Army General Staff, Office of the Assistant Chief of Staff for Intelligence, and later to the Adjutant General's Office to work on the Army POW/MIA Program. After an assignment with the Defense Intelligence Agency, Colonel Rowe left the Army.

In 1981, as the Reagan administration saw the need to better fund and train the military, the administration also recognized the continued need for a specialized elite unit that harbors the finest soldiers in the world. With the expansion and continued demand of special operations in the world, Colonel Rowe was requested to return to active duty to create a school in order that he could teach his special skills of how to survive capture and escape. His creation, the survival, evasion, resistance, and escape [SERE] course, is a critical school for personnel placed in positions of possible capture and confinement. His program standardized the Army's survival instruction by providing a rigorous, realistic, yet safe training environment where soldiers could learn how to avoid capture and return home with honor. In 1988, Colonel Rowe left Fort Bragg for the Defense Language Institute, and then on to the Philippines.

Colonel Rowe's awards and decorations only confirm that he is a great soldier and a great leader. They include the Silver Star, the Legion of Merit, the Bronze Star with oak leaf cluster, the Purple Heart with oak leaf cluster, the Meritorious Service Medal, the Vietnam Service Medal with eight campaign stars, the Combat Infantryman's Badge, Master Parachutist Badge, Ranger Tab, Special Forces Tab, and Vietnamese Parachutist Badge.

I salute my colleague, Mr. SOLARZ, for recognizing the loss of an American soldier who gave the greatest gift an individual can give to his country, his own life. Col. James "Nick" Rowe leaves us with a loving family, many friends, a better U.S. Army, and most important, a nation indebted for his courage and devotion to God and country. Colonel Rowe, we the Members of Congress salute you for your unyielding service and duty to preserving the freedom of this country and working to ensure

the freedom of other countries. Mr. Speaker, I ask that this body support House Concurrent Resolution 121 and offer Colonel Rowe the Special Forces prayer:

Almighty God, Who art the Author of liberty and the Champion of the oppressed, hear our prayer.

We, the men of the Special Forces, acknowledge our dependence upon Thee in the preservation of human freedom.

Go with us as we seek to defend the defenseless and to free the enslaved.

May we ever remember that our Nation, whose motto is "In God We Trust," expects that we shall acquit ourselves with honor, that we may never bring shame upon our faith, our families, or our fellow men.

Grant us wisdom from Thy mind, courage from Thine heart, strength from Thine arm, and protection by Thine hand.

It is for Thee that we do battle, and to Thee belongs the victor's crown.

For Thine is the kingdom, and the power and glory, forever.

Col. Nick Rowe, "de oppresso liber," thank you, goodbye, and God bless you.

Mr. GILMAN. Mr. Speaker, I rise in strong support of House Concurrent Resolution 121, expressing the sense of Congress with respect to the assassination of Col. James Rowe in the Philippines.

Col. James Rowe began his distinguished military career at the U.S. Military Academy at West Point. In 1963, Colonel Rowe was captured by the Vietcong while serving with the Special Forces. For 5 years he endured maltreatment in the form of starvation and torture at the hands of his Vietcong captors. On New Year's Eve of 1968, Colonel Rowe courageously arranged his own dramatic escape. He was, in fact, the only American officer ever to escape from a Vietcong prison camp.

During his career, Col. James Rowe was awarded the Silver Star, Legion of Merit, Bronze Star (twice), Purple Heart (twice), Meritorious Service Medal, along with myriad other accolades which bear testimony to James John Nicholas "Nick" Rowe's dedication to duty and love of country.

Mr. Speaker, Colonel Rowe specifically requested assignment to the Philippines because he wished to contribute to the process of reestablishing democracy under President Aquino. Colonel Rowe's assassination by members of the New People's Army on April 21, 1989, was egregious testimony against those who wish us to withdraw from our military facilities in the Philippines.

We remain unequivocally devoted to providing economic and military assistance to the Philippines in support of our longstanding cooperative relationship with that nation.

Accordingly, Mr. Speaker, this resolution makes our sentiments clear. While we are profoundly distressed at the loss of Colonel Rowe, this tragedy focuses our attention on the hard reality with which we are faced: As the custodians of democracy around the world, we often pay a heavy price. We have lost a fine military officer, yet his loyalty and sacrifice will burn in our hearts forever.

Mr. PORTER. Mr. Speaker, I strongly support House Concurrent Resolution 121, a resolution to express the sense of the Congress with respect to the assassination of Col. James Rowe in the Philippines.

Colonel Rowe was a prisoner of the Vietcong from 1963 to 1968, during which time he endured torture, starvation, and maltreatment at the hands of his captors. He escaped from captivity on New Year's Eve, 1968 and continued to serve in the U.S. military in Southeast Asia. He specifically requested assignment to the Philippines because he wanted to help the process of reestablishing democracy under President Aquino. He was serving in the Joint U.S. Military Assistance Group when he was brutally and tragically gunned down in Quezon City outside Manila.

I am outraged at the continued danger and violence to which United States citizens and military personnel living and serving in the Philippines are subject. The killing of Colonel Rowe is a blatant example of the aggression they face. The United States must take the necessary steps to protect and defend United States citizens and military personnel in the Philippines.

At the same time, we must reject attempts of violence and intimidation to force the United States withdrawal from military facilities in the Philippines. We must stand firmly in the face of terrorism, and those forces in the Philippines must go on notice that United States support for the democratically elected government of President Corazon Aquino will not falter. We must also continue to provide economic and military assistance in order to allow the Philippine Government to strengthen democracy and address the underlying problems that confront the country. Our support, both political and economic, will also help combat the new People's Army insurgency which claimed responsibility for the senseless assassination of Colonel Rowe.

I want to extend my condolences to Colonel Rowe's family. He served his country with great dignity and courage.

Mr. BROOMFIELD. Mr. Speaker. I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MURTHA). The question is on the motion offered by the gentleman from New York [Mr. SOLARZ] that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 121.

The question was taken.

Mr. ROTH. Mr. Speaker, I object to the vote on the grounds that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 401, nays 9, not voting 24, as follows:

[Roll No. 59]

YEAS—401

Ackerman
Akaka
Alexander
Anderson
Andrews
Annunzio
Anthony
Applegate
Archer
Armey

Aspin
Atkins
AuCoin
Baker
Ballenger
Barnard
Bartlett
Barton
Bates
Beilenson

Bennett
Bentley
Bereuter
Berman
Bevill
Billbray
Bilirakis
Billey
Boehlert
Boggs

Bonior
Borski
Bosco
Boucher
Boxer
Brennan
Brooks
Broomfield
Browder
Brown (CO)
Bruce
Bryant
Buechner
Bunning
Bustamante
Byron
Callahan
Campbell (CA)
Campbell (CO)
Cardin
Carper
Carr
Chandler
Chapman
Clarke
Clay
Clement
Clinger
Coble
Coelho
Coleman (MO)
Coleman (TX)
Collins
Combest
Conte
Conyers
Cooper
Costello
Coughlin
Cox
Coyne
Craig
Crane
Crockett
Dannemeyer
Darden
Davis
de la Garza
DeFazio
DeLay
Dellums
DeWine
Dickinson
Dicks
Dingell
Dixon
Donnelly
Dorgan (ND)
Douglas
Downey
Dreier
Duncan
Durbine
Dwyer
Dymally
Dyson
Early
Eckart
Edwards (CA)
Emerson
Engel
English
Erdreich
Evans
Fascell
Fawell
Fazio
Feighan
Fields
Fish
Flake
Flippo
Foley
Ford (MI)
Ford (TN)
Frenzel
Gallegly
Gallo
Garcia
Gaydos
Gejdenson
Gekas
Gephardt
Gillmor
Gilman
Glickman

Gonzalez
Goodling
Gordon
Goss
Gradison
Grandy
Grant
Gray
Green
Guarini
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harris
Hastert
Hatcher
Hawkins
Hayes (IL)
Hayes (LA)
Hefley
Hefner
Henry
Herger
Hertel
Hiler
Hoagland
Hochbrueckner
Holloway
Hopkins
Houghton
Hoyer
Hubbard
Huckaby
Hughes
Hutto
Hyde
Inhofe
Ireland
James
Jenkins
Johnson (CT)
Johnson (SD)
Johnston
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kasich
Kastenmeier
Kennedy
Kennelly
Kildee
Kleczka
Kolbe
Kolter
Kostmayer
Kyl
LaFalce
Lagomarsino
Lancaster
Lantos
Laughlin
Leach (IA)
Leath (TX)
Lehman (CA)
Lehman (FL)
Leland
Lent
Levin (MI)
Levine (CA)
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Lipinski
Livingston
Lloyd
Long
Lowery (CA)
Lowey (NY)
Luken, Thomas
Machtley
Madigan
Manton
Markey
Marlenee
Martin (IL)
Martin (NY)
Martinez
Matsui
Mavroules
Mazzoli
McCandless

McCloskey
McCollum
McCrery
McDade
McDermott
McEwen
McGrath
McHugh
McMillan (NC)
McMillen (MD)
McNulty
Meyers
Mfume
Michel
Miller (CA)
Miller (OH)
Miller (WA)
Moakley
Mollohan
Montgomery
Moody
Moorhead
Morella
Morrison (CT)
Morrison (WA)
Mrazek
Murphy
Murtha
Myers
Nagle
Natcher
Neal (MA)
Neal (NC)
Nelson
Nielson
Nowak
Oakar
Oberstar
Obey
Olin
Ortiz
Owens (NY)
Owens (UT)
Oxley
Packard
Pallone
Panetta
Parker
Parris
Pashayan
Patterson
Paxon
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Perkins
Petri
Pickett
Pickle
Porter
Poshard
Price
Pursell
Quillen
Rahall
Rangel
Ravenel
Ray
Regula
Rhodes
Richardson
Rinaldo
Ritter
Roberts
Robinson
Roe
Rogers
Rohrabacher
Rose
Rostenkowski
Roukema
Rowland (CT)
Rowland (GA)
Russo
Sabo
Saiki
Sangmeister
Sarpalilis
Savage
Sawyer
Saxton
Schaefer
Scheuer
Schiff

Schneider	Snowe	Valentine
Schroeder	Solarz	Vander Jagt
Schuetz	Solomon	Vento
Schulze	Spence	Visclosky
Sharp	Spratt	Volkmer
Shaw	Staggers	Vucanovich
Shays	Stallings	Walgren
Shumway	Stark	Walker
Shuster	Stearns	Walsh
Sikorski	Stenholm	Watkins
Sisisky	Stokes	Waxman
Skaggs	Studds	Weber
Skeen	Stump	Weiss
Skelton	Sundquist	Weldon
Slaughter (NY)	Swift	Wheat
Slaughter (VA)	Synar	Whittaker
Smith (FL)	Tanner	Whitten
Smith (IA)	Tauke	Williams
Smith (MS)	Tauzin	Wilson
Smith (NE)	Thomas (CA)	Wise
Smith (NJ)	Thomas (GA)	Wolf
Smith (TX)	Thomas (WY)	Wolpe
Smith (VT)	Torres	Wyden
Smith, Denny	Torricelli	Wyllie
(OR)	Towns	Yates
Smith, Robert	Trafigant	Yatron
(NH)	Traxler	Young (AK)
Smith, Robert	Unsoeld	Young (FL)
(OR)	Upton	

NAYS—9

Burton	Hancock	Ridge
Dornan (CA)	Hunter	Roth
Gingrich	Jacobs	Sensenbrenner

NOT VOTING—24

Bateman	Frank	Molinari
Brown (CA)	Frost	Pepper
Courter	Gibbons	Roybal
Derrick	Hammerschmidt	Schumer
Edwards (OK)	Horton	Slattery
Espy	Lukens, Donald	Stangeland
Florio	McCurdy	Tallon
Foglietta	Mineta	Udall

□ 1428

Mr. SENSENBRENNER changed his vote from "yea" to "nay."

Mr. VALENTINE changed his vote from "nay" to "yea."

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1430

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1470

Mr. ROBINSON. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of the bill, H.R. 1470.

The SPEAKER pro tempore (Mr. MURTHA). Is there objection to the request of the gentleman from Arkansas?

There was no objection.

REPORT CONCERNING NATIONAL EMERGENCY WITH RESPECT TO IRAN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 101-68)

The SPEAKER pro tempore (Mr. KANJORSKI) laid before the House the following message from the President of the United States; which was read

and, together with the accompanying papers, without objection, referred to the Committee on Foreign Affairs and ordered to be printed.

To the Congress of the United States:

I hereby report to the Congress on developments since the last report of November 15, 1988, concerning the national emergency with respect to Iran that was declared in Executive Order No. 12170 of November 14, 1979, and matters relating to Executive Order No. 12613 of October 29, 1987. This report is submitted pursuant to section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and section 505(c) of the International Security and Development Cooperation Act of 1985, 22 U.S.C. 2349aa-9. This report covers events through March 28, 1989, including those that occurred since the last report under Executive Order No. 12170 dated November 15, 1988. That report covered events through October 1, 1988.

1. Since the last report, there have been no amendments to the Iranian Assets Control Regulations, 31 C.F.R. Part 535 (the "IACRs"), or the Iranian Transactions Regulations, 31 C.F.R. Part 560 (the "ITRs"), administered by the Office of Foreign Assets Control ("FAC"). The major focus of licensing activity under the ITRs remains the importation of certain nonfungible Iranian-origin goods, principally carpets, which were located outside Iran before the embargo was imposed, and where no payment or benefit accrued to Iran after the effective date of the embargo. Since October 1, 1988, FAC has made 583 licensing determinations under the ITRs.

Numerous Customs Service detentions and seizures of Iranian-origin goods (including carpets, caviar, dates, pistachios, and gold) have taken place, and a number of FAC and Customs investigations into potential violations of the ITRs are pending. Several of the seizures have led to forfeiture actions and imposition of civil monetary penalties. An indictment has been issued in the case of *United States v. Benham Tahriri*, which is now pending in the United States District Court for the District of Vermont.

2. The Iran-United States Claims Tribunal (the "Tribunal"), established at The Hague pursuant to the Claims Settlement Agreement of January 19, 1981 (the "Algiers Accords"), continues to make progress in arbitrating the claims before it. Since the last report, the Tribunal has rendered 22 awards, for a total of 418 awards. Of that total, 308 have been awards in favor of American claimants: 193 of these were awards on agreed terms, authorizing and approving payment of settlements negotiated by the parties, and 115 were decisions adjudicated on the merits. The Tribunal has dis-

missed a total of 25 other claims on the merits and 56 for jurisdictional reasons. Of the 29 remaining awards, two represent withdrawals and 27 were in favor of Iranian claimants. As of March 28, 1989, awards to successful American claimants from the Security Account held by the NV Settlement Bank stood at \$1,136,444,726.

As of March 28, 1989, the Security Account has fallen below the required balance of \$500 million 25 times. Each time, Iran has replenished the account, as required by the Algiers Accords, by transferring funds from the separate account held by the NV Settlement Bank in which interest on the Security Account is deposited. Iran has also replenished the account once when it was not required by the Accords, for a total of 26 replenishments. The most recent replenishment as of March 28, 1989, occurred on March 22, 1989, in the amount of \$100,000, bringing the total in the Security Account to \$500,011,034.15. The aggregate amount that has been transferred from the interest account to the Security Account is \$624,698,999.39. The amount in the interest account as of March 28, 1989, was \$128,220,636.82.

Iranian and U.S. arbitrators agreed on two neutral arbitrators to replace Professor Karl-Heinz Bockstiegel and Professor Michel Andre Virally, who had submitted letters of resignation. On December 16, 1988, Professor Bengt Broms of Finland replaced Professor Bockstiegel as Chairman of Chamber One, and on January 1, 1989, Professor Gaetano Arangio-Ruiz of Italy replaced Professor Virally as Chairman of Chamber Three. Professor Bockstiegel had also served as President of the Tribunal. After Iran and the United States were unable to agree on a new President of the Tribunal, former Netherlands Supreme Court Chief Judge Charles M.J.A. Moons, the appointing authority for the Tribunal, appointed Professor Robert Briner to the position on February 2, 1989. Professor Briner, who has been a member of the Tribunal since 1985, will continue to serve as Chairman of Chamber Two.

3. The Tribunal continues to make progress in the arbitration of claims of U.S. nationals for \$250,000 or more. Over 68 percent of the nonbank claims have now been disposed of through adjudication, settlement, or voluntary withdrawal, leaving 169 such claims on the docket. The largest of the large claims, the progress of which has been slowed by their complexity, are finally being decided, sometimes with sizable damage awards to the U.S. claimant. Since the last report, nine large claims have been decided. One U.S. company received an award on agreed terms of \$10,800,000.

4. The Tribunal continues to process claims of U.S. nationals against Iran of

less than \$250,000 each. As of March 28, 1989, a total of 362 small claims have been resolved, 82 of them since the last report, as a result of decisions on the merits, awards on agreed terms, or Tribunal orders. One contested claim has been decided since the last report, raising the total number of contested claims decided to 24, 15 of which favored the American claimant. These decisions will help in establishing guidelines for the adjudication or settlement of similar claims. To date, American claimants have also received 56 awards on agreed terms reflecting settlements of claims under \$250,000.

The Tribunal's current small claims docket includes approximately 185 active cases. It is anticipated that the Tribunal will issue new scheduling orders later this spring to bring its active docket to approximately 225 active cases.

5. In coordination with concerned government agencies, the Department of State continues to present United States Government claims against Iran, as well as responses by the United States Government to claims brought against it by Iran. Since the last report, the Department has filed pleadings in eight government-to-government claims, and presented one claim at a hearing before the Tribunal. In addition, two claims have been settled.

6. Since the last report, nine bank syndicates have completed negotiations with Bank Markazi Jomhuri Islami Iran ("Bank Markazi," Iran's central bank) and have been paid a total of \$11,235,741.87 for interest accruing for the period January 1-18, 1981 ("January Interest"). These payments were made from Dollar Account No. 1 at the Federal Reserve Bank of New York ("FRBNY"). Moreover, under the April 13, 1988, agreement between the FRBNY and Bank Markazi, the FRBNY returned \$7,295,823.58 of Iranian funds to Bank Markazi. That transfer represents the excess of amounts reserved in Dollar Account No. 1 to pay off each bank syndicate with a claim for January Interest against Bank Markazi.

7. The situation reviewed above continues to implicate important diplomatic, financial, and legal interests of the United States and its nationals and presents an unusual challenge to the national security and foreign policy of the United States. The Iranian Assets Control Regulations issued pursuant to Executive Order No. 12170 continue to play an important role in structuring our relationship with Iran and in enabling the United States properly to implement the Algiers Accords. Similarly, the Iranian Transactions Regulations issued pursuant to Executive Order No. 12613 continue to advance important objectives in combatting international terrorism. I shall continue to exercise the powers at my

disposal to deal with these problems and will continue to report periodically to the Congress on significant developments.

GEORGE BUSH.

THE WHITE HOUSE, May 23, 1989.

THE 40TH ANNIVERSARY OF BASIC LAW AND FOUNDING OF FEDERAL REPUBLIC OF GERMANY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri [Mr. COLEMAN] is recognized for 5 minutes.

Mr. COLEMAN of Missouri. Mr. Speaker, as chairman of the Congressional Study Group on Germany I am pleased to ask my colleagues to join me today in marking the 40th anniversary of the basic law and the founding of the Federal Republic of Germany.

Today we can look back upon 40 years of remarkable stability and economic growth in West Germany. From the political and physical destruction of a great world war, it has taken its place among the free nations of Europe. If there were those who viewed post-war Germany as a great experiment, we can now fairly say that it has been one of history's great successes.

Over the past four decades, the relationship between West Germany and the United States has become a linchpin of the security of Europe and the free world. This relationship stands not only on shared security interests but on the shared values of the people of our two nations. Chief among these is respect for individual freedom, human rights, and democratic government.

We can celebrate today because in the aftermath of World War II there were men and women of remarkable foresight who saw those shared values beneath the tarnish and rubble of the modern Dark Age. Most of these giants in the era of modern United States-German relations have passed from the scene—and here I sadly note that only a few months ago I attended the funeral of United States High Commissioner John McCloy who was central to rebuilding the German State. Yet we must never forget their work which today stands as a monument to 40 years of peace and stability in Europe.

We must take a lesson from those giants of yesterday who saw beyond the great difficulties of their time to the requirements of our own time. We must take this occasion of celebration and make it one of dedication to maintaining the strong relationship between our two nations.

Mr. Speaker, as this year unfolds there will be many events commemorating the 40th anniversary of the Federal Republic of Germany. But today I would simply ask my colleagues to join with me in honoring a great nation and a great people who four decades ago began their remarkable journey to freedom.

REPORT ON RESOLUTION PROVIDING FOR FURTHER CONSIDERATION OF H.R. 2072, DIRE EMERGENCY SUPPLEMENTAL APPROPRIATIONS, FISCAL YEAR 1989, AND CONSIDERATION OF H.R. 2442

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 101-63) on the resolution (H. Res. 160) providing for the further consideration of the bill (H.R. 2072) making dire emergency supplemental appropriations and transfers, urgent supplementals, and correcting enrollment errors for the fiscal year ending September 30, 1989, and for other purposes, and the consideration of the bill, H.R. 2442, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2392, MINERAL LEASING ACT AMENDMENTS RELATING TO OIL SHALE CLAIMS

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 101-64) on the resolution (H. Res. 161) providing for the consideration of the bill (H.R. 2392) to amend section 37 of the Mineral Leasing Act relating to oil shale claims, and for other purposes, which was referred to the House Calendar and ordered to be printed.

AGENT ORANGE COURT RULING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Mississippi [Mr. MONTGOMERY] is recognized for 5 minutes.

Mr. MONTGOMERY. Mr. Speaker, I rise today to advise my colleagues and provide clarification about a recent court ruling in San Francisco which invalidated a Department of Veterans Affairs regulation regarding disabilities associated with exposure to agent orange in Vietnam.

In brief, the court struck down a DVA regulation which required that a cause and effect relationship be shown between exposure to agent orange and subsequent diseases in order for the Department to presume under the authority granted by Public Law 98-542 that the disease is service connected.

In addition to finding that a cause and effect test was too strict a standard, the court also held that, although the law was clear, the DVA did not apply the reasonable doubt doctrine applicable to decisions in individual veterans' cases to determinations regarding the diseases which would or would not be deemed to be service connected.

Back in 1985, when this regulation was first promulgated, I raised objections to its provisions, particularly with regard to the cause and effect requirement. There follows a copy of my letter to then Administrator Harry Walters which details my objections.

COMMITTEE ON VETERANS' AFFAIRS,
Washington, DC, May 24, 1985.

Hon. HARRY N. WALTERS,
Administrator of Veterans Affairs, Washington, DC.

DEAR MR. ADMINISTRATOR: The following are our comments concerning your proposed regulations effectuating certain provisions of Public Law 98-542.

Sec. 3.311a(a)(4).—These regulations quote the law and introduce a phrase "sound medical and scientific evidence" into the adjudication of claims. The definition does not clarify that phrase relative to "sound medical principles" which has long been one of the cornerstones of claims adjudication. We believe such clarification is essential to avoid misinterpretation by Rating Boards. The same phrase recurs in 3.311a(g), 3.311b(c)(3) and (h).

Under the law service connection has always been a product of temporal rather than casual relationship between a disability and the period of active duty. We believe it important to include a paragraph in these regulations restating that principle and pointing out that statutory criteria for relationship to substance and radiation exposure merely require "sound medical principles" and do not introduce a causal relationship requirement into the law.

Sec. 3.311a(c) and (d).—These specific regulations are required by Public Law 98-542, but we believe they would be better worded affirmatively. This would avoid confusion and eliminate the necessity for (g). Thus, chloracne, without intercurrent cause, is service connectable if manifested anytime in service or 3 months after exposure whichever is more advantageous to the veteran. Similarly, porphyria cutanea tarda (PCT) is service connectable if manifested in service. Soft tissue sarcoma must be service connected if shown in service or within one year after separation.

Sec. 3.311b sets forth criteria for determining exposure dosages to radiation. The proposed rule appears to be more restrictive than your previous practice. Previously, the Defense Nuclear Agency (DNA) gave you the individual badge readings as well as the high and low readings for the veteran's unit. You then credited him with the higher level of exposure. What in Public Law 98-542 would impel you to write a more restrictive rule?

Sec. 3.311b(b) in outlining procedures requires referral of all claims that meet three criteria to the Chief Medical Director for a rationalized conclusion as to service connection. This is tantamount to a transfer of rating jurisdiction from the Department of Veterans Benefits (DVB) to the Department of Medicine and Surgery (DM&S). We strongly oppose such a change. We might point out that the "medical referee" system was tried by the Veterans Administration and discarded as impractical over a half century ago.

Sec. 3.311b(b)(4) i and ii, specifies that leukemia and bone cancer must become manifest more than 2 years but less than 30 years after exposure. Other forms of cancer must be manifest 10 years or more after exposure. 38 USC 301 and 312 require service connection if any of these conditions are manifested within one year of separation from service. What you have in effect proposed is a hiatus period of up to one year in the case of leukemia and bone cancer and up to 9 years in the case of the other cancers. We do not agree that Public Law 98-542 intended this anomaly.

Section 3.311b(d) provides for referral to outside consultants. It does not however

specify who shall pay such consultants, out of which appropriations payments will be made or how much these payments shall be. It is desirable that the regulations be specific as to such authority.

We would appreciate your giving these suggestions and comments careful consideration as you promulgate your final regulations on this subject.

Sincerely,

G.V. (SONNY) MONTGOMERY,
Chairman.

JOHN PAUL HAMMERSCHMIDT,
Ranking Minority Member.

As we know, Secretary Derwinski has indicated that the DVA will not seek to appeal this decision and that an effort will be made to rewrite the regulation by October of this year. I applaud the Secretary's decision not to appeal. I think an appeal would have been fruitless and would have further damaged the Department's image. I do want to caution my colleagues, however, not to read too much into the court's decision or the Department's reaction thereto. We must adopt a wait and see attitude and give the Department the opportunity to revise its regulations before reacting further.

I urge all of my colleagues to be patient in their desires to initiate well meaning legislation in this area. It is an area fraught with uncertainties and many scientific studies are still in progress. Members should remember that last year we gave veterans the right to pursue their claims in a court of veterans appeals. This court will begin operation in September. So, let's give the Department a chance to rewrite its regulations and the new court an opportunity to review the Secretary's decisions on this issue.

CORRECTIONAL ALTERNATIVES ACT OF 1989

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey [Mr. GUARINI] is recognized for 5 minutes.

Mr. GUARINI. Mr. Speaker, as you know, our distinguished colleague, Mr. RANGEL, recently introduced the Correctional Alternatives Act of 1989, a creative and thoughtful piece of legislation designed to attack overcrowding in our prison system.

This is yet another example of the fine work Mr. RANGEL has done as chairman of the Select Committee on Narcotics Abuse and Control to combat not only the drug problem in our country, but also to improve our criminal justice system.

As an original member of the select committee, I have worked alongside Mr. RANGEL for 11 years now on national drug policy, and have been constantly impressed with his constant and vigorous attacks on narcotics abuse and trafficking.

I would strongly recommend to my distinguished colleagues the following article from the Daily News of May 17, 1989, on Mr. RANGEL's Correctional Alternatives Act of 1989, of which I am an original cosponsor.

[From the Daily News, May 17, 1989]

BUSH'S PRISON PLAN IS A CRIME

(By Earl Caldwell)

Obviously, President Bush had hoped for a warm, sunshiny day. He got rain. But that

did not deter the President. He had planned to unveil his anti-crime package in a setting fit for a campaign rally. Despite a driving rain that left those gathered on the steps outside the Capitol thoroughly drenched, the President went ahead as scheduled. It may have been a signal that Bush was all wet in the approach he chose for fighting a drug-fueled crime problem that has soared far out of control.

Basically, what the President proposed was building more and more prisons. He did ask for funds to hire more U.S. attorneys and more federal agents. But the centerpiece of his package called for spending more money to build more prisons to lock up more people. Bush did not even move to take the most dangerous weapons of all off the streets. He bowed to the gun lobby and refused to outlaw domestically made military-type assault weapons.

Bush was playing to the crowd. More penitentiaries will enable law enforcement officers to lock up more people. But those who are imprisoned do not stay in jail. They do their time and, most often, come back to the streets, picking up where they left off. If anything, many are more violent and even more dangerous.

The Bush approach was basically a rerun. It was reminiscent of Richard Nixon 20 years ago with his "get-tough" approach. Prisons got built, laws toughened. But trafficking in drugs increased—and, through the next two decades, crime and violence rose to frightening new heights.

A day after Bush detailed his approach, Manhattan Rep. Charles Rangel offered a bill of his own. As chairman of the House Select Committee on Narcotics Abuse and Control, Rangel points out that some \$17 billion already is spent on prisons. He argued that \$40,000 is spent per year on each inmate. "And what do they do while they're locked up, besides making license plates?" he asks. "They sit around watching television, messing with each other, and a third come back (to the streets) in five years."

Rangel says there has to be another way to go. Yesterday he put legislation in the hopper designed "to give some alternatives" to inmates once released from prison. Rangel's Correctional Alternatives Act of 1989 proposes spending \$200 million in each of the next four years to assist state and local efforts to institute new and innovative alternatives to imprisonment.

"American prisons today are not doing the job of rehabilitating prisoners or deterring future crime," Rangel says. "We are warehousing prisoners at incredible cost and when they come out they are simply better prisoners. We need to explore new approaches. (Bush) concentrated on prisons and incarceration. Punishment is seen as the answer. Even if we build more prisons, as the President proposes, why should we not require that when inmates are released they return to society as bricklayers, electricians, painters, carpenters and skilled in other trades?"

Rangel wants to take criminals imprisoned for nonviolent crimes and, while in custody, give them skills that would, in turn, give them another way to go upon release. Rangel proposes creating boot camps, using forms of house arrest and drug treatment centers to deal with nonviolent felons. "The traditional form (of imprisonment) isn't working," he argues. He says the time has come to dig deeper. He wants to use federal money to create partnerships with private business to take on the job of training and

in turn providing marketable skills to felons.

Rangel is going back—saying that we need to look at root causes. "Our approach should be: 'If you're going to do a crime you're going to do time—but you're also going to come out with a skill to become a productive citizen.' If our prisons remain warehouses, then all we are buying with more and bigger prisons is a bit of time and a false sense of security."

While Bush plays to the crowd, Rangel is looking at what is and saying: *We have to do better.* He's right—If "taking the streets back" is the goal.

VETERAN PERFORMANCE

The SPEAKER pro tempore (Mr. VOLKMER). Under a previous order of the House, the gentleman from Ohio [Mr. McEWEN] is recognized for 60 minutes.

Mr. McEWEN. Mr. Speaker, as you are fully aware, the funding for this fiscal year for the Veterans' Administration was not sufficient. It became apparent along about December or so that there was not going to be a sufficient amount of funding to maintain the current level of services for our veterans. Many of us brought this to the attention of the President. The President at the time, recognizing that he was leaving office within a matter of days, felt it was not appropriate for him to make any permanent decisions on the matter. He felt it best that it be laid over until the new President took office on January 20.

When President Bush took office, the same dilemma was presented to him. It looked as though a \$500 million or \$600 million shortfall in the Veterans' Administration. The President wisely decided it was perhaps not appropriate for him to make that kind of decision right away.

Then on March 1 the Cabinet member for Veterans' Affairs, the new Cabinet position was being established, and a new Secretary was going to be sworn into office.

□ 1440

It would be appropriate for that Secretary to make the decision, and so shortly after March, the gentleman from Mississippi, the chairman of the Committee on Veterans' Affairs, various members of the Committee on Veterans' Affairs, met with the new Secretary, Secretary Derwinski, and shared with him the dilemma. He recognized the problem. He asked for a significant amount of funds at the White House. The White House, through the Office of Management and Budget, came back with an urgent supplemental request for only \$340 million. Many of us were disappointed in the amount, but we thought it was essential to begin to move because already services were being denied veterans across the country. Mr. Speaker, in my own particular district in southern Ohio, whole wards were being

closed as there were not sufficient funds to keep them operating.

The way the Congress operates many times is once the request is made and there is a desire for additional spending and then having it wrapped in the cloak of aid to veterans, between those two requests Members of Congress saw an opportunity for additional spending. They said, "If this is what the President wants and this is going to go for veterans, perhaps we should add a little additional funding."

They then began a little bit more, and another for this program over here, and recognizing that this will not be recognized for what it is, that this all comes under the heading of aid for veterans, let us add another program.

I took the floor of this House sometime on Thursday in late April to point out that the direction we were headed, the urgent supplemental for veterans the President had requested at \$340 million had already surpassed \$1.9 billion under the heading of urgent supplemental appropriations for veterans and for other purposes, and the other purposes were five times as large as what was asked for the veterans. That was on Thursday.

On Tuesday, when we came back, that same supplemental had grown to \$2.5 billion, and some of us took the floor to say that this was very unwise. It was unfair to veterans to be riding on the backs of veterans to use the money that was requested for the veterans' hospitals to be so larded up with all of these other requests. That was on Tuesday.

On Wednesday when the bill came to the floor, it had grown to \$4.9 billion. We all remember what happened. Many of this side of the aisle as well as on both sides expressed their opposition at that sort of activity. An effort to amend it was denied, and so the Speaker pulled the bill off the floor, and we went for 3 more weeks with no action.

Finally last week with the constant urging of the veterans' organizations, the recognition that this money is needed urgently, immediately, now, last Thursday the House of Representatives passed the necessary \$340 million for medicine and surgery. It was sent over to the other body. The other body, so frustrated at not having this opportunity for unlimited new spending under the cloak of a Bush request for veterans, decided that they would not sign on, but what they would do is just pass the money for about 2 weeks and come back after their recess and try to fight it out with the House again.

Mr. Speaker, the reason I have taken this time here is to pay tribute to some very courageous leaders, particularly the chairman of the Committee on Veterans' Affairs, the gentleman from Mississippi [Mr. MONTGOM-

ERY], and also the vice chairman of that committee, the gentleman from Arizona [Mr. STUMP]. I want to commend the ranking Republican on the Committee on Appropriations, the gentleman from Massachusetts [Mr. CONTE]. I believe that SILVIO CONTE has done yeoman's work on trying to hold this bill to exactly what it could and should be, that is, emergency supplemental aid to veterans and not just a cloak whereby Members will add dozens and dozens of other items.

The bill that came to the floor some weeks ago, 93 percent of all of the spending in that bill had nothing to do with veterans. I submit that if those programs are so good, then let them stand the light of day as individual legislation. Veterans have been used long enough for excessive spending.

But the other body has an obligation, it feels, to use whatever vehicle it can to increase the national debt, and so they refused to go along with the House, and they played their game, as we mentioned, by passing the supplemental only until June 15.

Mr. Speaker, let me read a letter from Jimmy Smith, national commander, AMVETS. It is to a leading member of the other body, and it says:

AMVETS NATIONAL HEADQUARTERS,
Lanham, MD, May 22, 1989.

HON. MARK O. HATFIELD,
U.S. Senate, Washington, DC.

DEAR SENATOR HATFIELD: On behalf of the 200,000 members of AMVETS, we are appalled at the recent action taken by the Senate to provide emergency funding for the health care of America's veterans only through June 15th.

This action, and the cavalier attitude toward providing necessary funding for health care for those who have borne our country's battles is unconscionable. Veterans' issues have always been non-partisan in scope and we fail to see what gains can be had in providing emergency funding only through June 15th when the issue must be addressed again.

We call upon you and all members of the United States Senate to insure that adequate funding is available to provide the requisite health care for our country's veterans.

Sincerely yours,

JIMMY T. SMITH,
National Commander.

This past Sunday in the Washington Post in an editorial entitled "Veteran Performance" the Washington Post lays the story out just as I have moments ago, only it mentions specific Members, and I would like to call the attention of the Members to this editorial and read it for the RECORD. It begins by saying that:

[From the Washington Post, May 21, 1989]

VETERAN PERFORMANCE

Congress never lets you down. The big issue last week was what to do about the \$1.2 billion in the measure for veterans' benefits. The money is necessary to keep programs running through the fiscal year. Members wanted to vote it out in time for the Memorial Day weekend, when many

would be making speeches to veterans' groups. But they also wanted to hold it back as a vehicle to which to attach funds for other purposes dearer to their hearts than the president's.

That's how the supplemental appropriations game is played: you either await or, if you're good, help create a fiscal emergency—by now they've done it so often that they're up to dire emergencies, and this is known as the dire emergency appropriations bill—then take a free ride on it. In this case the House finally voted to relinquish the emergency money, sending it to the Senate in a separate bill. The veterans, after all, are a hard group to say no to—and the House still had a few other emergency amounts in reserve. It turns out money is also needed to keep the student loan and foster care programs going through the year.

To the wily Senate, however, this House maneuver seemed much too straightforward and amateurish and—we hate to say it—a little crude. The Senate is not thought of as the upper house for nothing. Its new appropriations chairman is former majority leader Robert Byrd, and perhaps he had a little something to prove. The Senate, at any rate, approved only about \$75 million for the veterans' programs, enough to last the Department of Veterans' Affairs no more than a month and re-create its fiscal emergency in about mid-June, safely after Memorial Day. The West Virginian made no secret of what he had in mind. There are, he said, "many, many programs" that need extra funding this year—for example, one that subsidizes air service to remote communities, of which there are more than a few in his state. The Senate then sent its bill back to the House and went off for two weeks, leaving the House no choice but to accept it next week, when it will still be in session.

There's nothing inherently wrong with the programs the appropriators want to add to the supplemental. Quite the contrary: many of them are altogether worthy. The White House likes to say that everything Congress wants and it doesn't is pork, but that's not necessarily so. The only problem is that Congress doesn't want to pay for the add-ons with either a tax increase or offsetting spending cuts. It is voting to add to the deficit, secure in the knowledge that the budget rules are rarely applied once a fiscal year begins. That's because everyone by then is paying attention to the next year.

In the House this time, the president and ultimately Democratic leaders insisted on staying within the rules, or near enough; the first draft of the supplemental was sent back to committee, spoiling the appropriators' fun. But the House committee, and Mr. Byrd in the Senate, are still at it. Who knows how bad the next emergency may be? Truly serious? Cataclysmic? Apocalyptic? The appropriators can afford to wait.

Mr. Speaker, the story is very simple this; money is needed for veterans. The President recognizes it. Members of Congress understand it. The question is whether or not we will spend money to help the veterans or whether we will use that vehicle to spend a lot of money for other programs that could never pass on their own.

The American people understand that is unfair. The American people understand that that is a wrong thing to do. The House did the right thing last week by holding its bill to only

veterans. It will do the wrong thing if it submits to the blackmail of the other body by larding up this appropriation bill, not just for veterans, but for every other program that could and should stand on its own.

□ 1450

BLOCKBUSTER SAVINGS AND LOAN BAILOUT

The SPEAKER pro tempore (Mr. VOLKMER). Under a previous order of the House, the gentleman from New York [Mr. OWENS] is recognized for 60 minutes.

Mr. OWENS of New York. Mr. Speaker, the dinosaur, blockbuster spending bill of \$157 billion as proposed by the President is slowly marching forward, and after the Memorial Day recess probably will be on the floor of the House. The bill has gone through the Committee on Banking, Finance and Urban Affairs, it has been considered by the Ways and Means Committee. Of course, we all know the Senate has already passed the bill, and the likelihood is that when the bill arrives on the floor of the House there are not enough votes to pass the bill.

But I am concerned again, Mr. Speaker, about the fact that there has been so little discussion and so little debate on a bill which purports to authorize the expenditure of \$157 billion. It authorizes \$157 billion of expenditure over a 10-year period, but under any circumstances it is still one of the biggest commitments ever made by the American Government, the U.S. Government for a peacetime expenditure. So it deserves more consideration, it deserves more discussion. It is a mystery as to why this discussion is not taking place, why in the media we do not have any discussion, why on the floor many of our conservatives have gone completely silent on the issue. It is a very fundamental problem, it seems to me, in terms of a conservative philosophy that Government should never intervene in the private sector too heavily.

We are intervening into the private sector, we are subsidizing the banking industry, and yet it is marching forward without very much comment or discussion. I do not think it is stretching too far to draw some kind of connection between what is about to happen with the savings and loan scandal and what is happening now in Beijing, China. Students are rebelling, millions of people led by students are rebelling against the government which they consider to be basically a problem because they perceive it to be corrupt, and they perceive it to be ineffective.

Those two problems, a government that is corrupt, they do not believe the officials who are in charge, who are wielding power are doing it fairly, they

do not believe that they are doing it without attempting to pad their own pockets, attempting to extend the maximum number of privileges to themselves, they do not believe the officials are being fair in the use of their resources and their treatment of all segments of society, and they call that corruption. They do not believe their officials are competent to deal with the changing situation that they are faced with. The economy is changing, the whole world is changing, and we have some high bound Democrats, some old party people who are sitting there trying to make a minimum number of changes and deal with life only in their particular areas and sectors that they consider important.

But the rising expectations of the young people of China are such that they want officials, they want decisionmakers at the government level who are more competent and more imaginative and more creative. There are two things they are insisting on. They want integrity and they want effectiveness.

Effectiveness means they want people to have more imagination. Certainly the issue of integrity means they want people who will look at every aspect of what they are doing and trying to guarantee that it is fair, that no particular segment of the populace is being given some favored treatment that they themselves are not favoring themselves.

So the issue of corruption, the issue of effectiveness is not going to remain in China. It is likely to be an issue on the agenda for the next 10 years. More and more people everywhere are going to demand that on these two issues government officials must shape up, regardless of what the system is.

We know, of course, that in the totalitarian systems the likelihood that corruption will persist and get worse is far greater because of the fact that there is a cap on discussion, there is an inability to have alternatives. So the corruption that has been exposed in the Government of the Soviet Union has been shocking, but because it was a closed society and officials had such widespread privileges, that corruption was rampant. The corruption problem in China is on the same scale because of the closed society.

We have some safeguards, we have some checks and balances in our society. I think we should not hesitate to use those checks and balances. Every Member of the Congress is a check and a balance. They can speak out, they can make certain that light is thrown on any movement taken by the Government.

Certainly the press, any citizen, all branches of our Government are checks and balances on each other, so nothing should go forward which is a tremendous disaster and a tremendous

catastrophe which at least does not have the fullest possible discussion. If we do something in the next few weeks which future generations will hold us responsible or condemn us for, it will not be because we have not had an opportunity to have these checks and balances go into motion. It will not be because we have not had an opportunity to hear free discussion on it.

So I am not here because I am an expert on the savings and loan associations or because, as I have repeatedly stated before, I am not a member of the Committee on Banking, Finance and Urban Affairs, I am not a member of the Committee on Ways and Means. I am here because I want to maximize the amount of discussion on this tremendous \$157 billion bill to bail out the savings and loan associations, most of whom were crooked, most of whom involved fraud, and I will get back to that in a minute.

I am here today because this is the biggest spending bill in peacetime history. Those Members who have been on the floor repeatedly since I have been here in the last 7 years condemning big spending bills suddenly have lost their tongues. They are not here. They do not see this as a big spender, but this is the biggest spending, this is a blockbuster, this is a dinosaur, this is a dragon. It will eat up all possibility of any new initiatives in the next 10 years. We will not have any money to spend on education additionally, we will not have any additional money to spend on the problem of health care for all our people. We will not have that opportunity because every penny that is saved in any other way, if we do finally begin to save money in the area of defense because the cold war is lessening, because the tensions in the world are lessening, any money saved from defense will be shuttled to the savings and loan catastrophe. We must pay off that \$157 billion obligation. Everything we do from the moment that bill is passed will be shaped by the fact that that bill has passed. It will establish a new set of parameters, a new set of boundaries in which the Congress will have to operate.

So all of our decisionmaking from that point on, from the point we take on the obligation of \$157 billion, all of our new decisionmaking will be shaped partially by the fact that we have made that decision.

What are we about to do when we move to act on the President's bill, his proposal that we obligate ourselves to the tune of \$157 billion for the next 10 years? What is he obligating us to do?

I am pleased by the fact that certain members of the Committee on Banking, Finance and Urban Affairs have come on the floor in special orders and explained matters more in the last few weeks. I am pleased by the fact that I hope the people who have the expertise have leveled with the American

people about the nature of the problem. I heard certain Members who came before the House in special orders recently explain what I understand already, that we have an obligation as an American people. We took on an obligation through our Government to take care of any depositor who deposited up to \$100,000 in any one of these savings and loan institutions that are now failing. Any person who deposited up to \$100,000 has the assurance of the Federal Government that their deposit would be guaranteed if anything happened to the bank.

I certainly think we must honor that obligation. It is a legal obligation. We have no way not to honor it. It is altogether fitting and proper that we should honor that obligation to take care of depositors that we said we would guarantee that their money would not be lost.

The question that the Members who come to this podium, the Members who have been on special orders to explain the nature of the bill, the questions they refuse to answer and did not even treat was how many people or how many business concerns are we attempting to save who have deposits above \$100,000? How many Japanese bankers, how many Arab sheiks, how many multimillionaires who were speculating are we attempting to save in addition to the savings depositors which we guaranteed? In other words, as we reach into the pockets of the American taxpayers, because in the end it is the American taxpayer who will pay this \$157 billion, as we reach into their pockets are we reaching into the pockets to get enough money to meet the obligations, that are legally the obligations of the American Government, or are we reaching into their pockets to get money to take care of people we never said we would take care of? If people speculated and they put their money into savings and loan associations and they knew they were going under, or for whatever reason, above the \$100,000, then why should our taxpayers be asked to bail out those people in addition to the depositor who put his money in in accordance with the rules of guaranteed up to \$100,000?

□ 1500

That question has not been answered. How much money do we need just to take care of our obligations? Nobody wants to answer that question.

The answer to the question, I assure you, is that we need far less than \$157 billion. It would take far less than \$157 billion if we merely met our obligations to take care of the depositors who have put in \$100,000 in each savings and loan institution.

What we are trying to do, instead of merely honoring the obligations of the U.S. Government, we are trying to save everybody who has a dime invest-

ed in the savings and loan association above the maximum of \$100,000. We are taking on obligations we do not need to take on and as a result not only is the obligation likely to be \$157 billion, but the chairman of the Committee on Banking, Finance and Urban Affairs, himself, has said we are likely in the end to be obligated to as much as \$335 billion.

You might ask how does this take place? How does it occur? Well, if you do not just pay off the depositors that we owe, the depositors that we are obligated to, then what you have to do is try to save the institution. Each savings and loan association that is going under, instead of just paying off the depositors, we are making an attempt to save the institution so that nobody who has invested will lose any money.

When you do that you take on obligations, all of the obligations that the institutions have. If some of those obligations come due later and they pay off then, great, we will not lose that money.

But those that later on do not materialize, we are obligated to pay that.

In addition to that we have deals which any new institution that buys a failing institution can take advantage of. If institution A is a healthy banking institution, it wants to buy a failing savings and loan association—and most of them are failing because they are crooked, there is some fraud somewhere, let alone mismanagement. Mismanagement and fraud are almost synonymous because people who mismanage banks are people who deliberately are trying to cloud the issue in order to permit some kind of malfeasance to take place.

At any rate, if a healthy institution buys a failing one we give them tax writeoffs. They take on those losses and they get a tax writeoff for something which, in the end, they may have absolutely no risk because in addition to the tax writeoff we say that if these failing obligations, if this portfolio of losses or near losses does not materialize, then we are going to pay it off through this \$157 billion bailout that the Federal Government has and "you have nothing to lose, everything to gain."

So in addition to the \$157 billion of the deals where people receive tax writeoffs in terms of millions and millions of dollars is also coming out of the pocket of the American taxpayer.

I think it is important to note that the discussions that are taking place, that have taken place in the committees, in the discussions brought to the floor by certain persons who wanted to enlighten us, very little has been said about fraud, about stealing.

You know, we use words like "fraud" and "embezzlement" when you are talking about professional white-collar criminals, but it is really stealing.

Very little has been said about the stealing that is taking place.

However, even the most conservative review of the institutions that have been failing has come up with the answer, with one observation, that at least half of them you can prove that there was stealing in at least half of them. That is a conservative review, not an investigation in depth by the FBI or the CIA, but a conservative view by Mr. Seidman of the FDIC.

Mr. Seidman was given the job by President Bush to take over the failing institutions.

One of the things the President asked Mr. Seidman to do was to check to see immediately how much fraud was involved, how much stealing was involved.

The report that came back from Mr. Seidman, according to the New York Times on May 19, was that at least half, half, in half of the failing savings and loans/banks there was evidence of criminal fraud.

I will read directly from the article:

The Federal Deposit Insurance Corporation said today that after examining more than 200 insolvent savings associations at the request of President Bush, it had found evidence of criminal fraud and abuse at almost half the institutions.

In a report that summarized the findings of the agency during its examination of almost 220 institutions in the last three months, agency officials said that in addition to possible criminality found previously by the Federal Home Loan Bank Board, the F.D.I.C. had uncovered an additional 50 instances of possible wrongdoing.

This brings it to a total of about 50 percent of the institutions that are failing having criminal fraud as a problem.

However, the FDIC Chairman, Mr. William Seidman, went on to say—to make a statement with which I take issue. He warned that the amount of money recovered from any people found guilty of self-dealing and other insider abuses would be small. The money is long gone and it is spent by the criminals, Mr. Seidman says.

He goes on to say we cannot expect any substantial recovery from criminal abuse.

Mr. Seidman did not cite any kind of investigation or study to back up that statement. He wants to make the assumption that there can be no recovery of what the crooks have run off with. I take issue with that and I think that is one of the big holes in the proposals that the President has before us.

He is asking the American people to spend \$157 billion to bail out these institutions, most of whom are crooked, and they are not making an effort to recover from the crooks, from the criminals, the kind of money that they could recover.

If there were more prosecutions, if they were to undertake an effort to have a more strenuous investigation, I

guarantee you the kind of people who would be put on the spot, people who would face jail, would come forward and you would be able to recover much more of the money than you will ever recover by making a statement ahead of time that it is already spent, it is gone.

It is in Swiss banks, it is invested in various investments where we could force the people who committed the fraud to pay up.

There are a number of ways that if you pursue these criminals the money could be recovered.

Why are we taking such a soft attitude toward white-collar criminals?

You know, if this were a group of welfare mothers who had stolen a thousand dollars and they caught them, you would have all kinds of screams for the harsher kind of punishments; welfare queens who cheat the Government out of a little money here, and a little money there are certainly held up as the worst kind of criminals.

I certainly do not mean to apologize for that kind of behavior. They should be punished.

But you would have screams on this floor about that kind of criminality. However, here we have a group of criminals, a network of racketeering enterprises who from one to another, in many instances, are guilty of stealing vast amounts of money, millions and millions of dollars, and we are soft on them. We are not willing to call them the criminals that they are; we are not willing to put forth the kind of investigation that should go forth; we only want to hasten on to get the matter over with by reaching into the pockets of the taxpayers and paying off not only the depositors that we owe but paying off everybody who was in danger of losing any money.

Mr. Speaker, I submit for the RECORD the entire article dated May 19, 1989, from the New York Times entitled "FDIC Found Fraud at Half of Savings Units It Studied."

The article referred to is as follows:
FDIC FOUND FRAUD AT HALF OF SAVINGS
UNITS IT STUDIED

(By Nathaniel C. Nash)

WASHINGTON, May 18.—The Federal Deposit Insurance Corporation said today that after examining more than 200 insolvent savings associations at the request of President Bush, it had found evidence of criminal fraud and abuse at almost half the institutions.

In a report that summarized the findings of the agency during its examination of almost 220 institutions in the last three months, agency officials said that in addition to possible criminality found previously by the Federal Home Loan Bank Board, the F.D.I.C. had uncovered an additional 50 instances of possible wrongdoing.

The F.D.I.C.'s chairman, L. William Seidman, warned that the amount of money recovered from any people found guilty of self-dealing and other insider abuses would be small. "The money is long gone, spent,"

Mr. Seidman said, "We cannot expect any substantial recovery from criminal abuse."

Separately, the House Ways and Means Committee today approved a plan to put most of the President's savings rescue plan on the Government's books. The vote was a rebuff to a last-minute attempt by the White House to keep the plan's costs outside the budget and represented the first defeat for the Administration in its bailout plan.

Despite threats of a veto, some members of Congress predicted the full House would approve the plan to put \$50 billion of borrowings on the Government's books but to exempt that amount from the automatic spending cuts under Gramm-Rudman-Hollings budget balancing law.

In a statement, Treasury Secretary Nicholas F. Brady said the vote by the committee set a precedent that would render the budget-cutting discipline of the Gramm-Rudman-Hollings law meaningless.

"I think that in a week you will see the Administration trying to cut a face-saving deal," said Representative Charles E. Schumer, Democrat of Brooklyn and a chief architect behind the on-budget plan.

The committee balked at raising taxes to pay for the savings rescue. In a 13-to-11 vote, it defeated a provision, sponsored by Representative Sam M. Gibbons, a Florida Democrat, to impose new taxes to pay for the plan.

In the wake of President Bush's announcement of his \$157 billion rescue plan, Mr. Bush directed the F.D.I.C. to take control of the nation's insolvent savings institutions until new money was approved by Congress to liquidate or sell them. The report issued by the F.D.I.C. was its first general statement on the condition of the savings industry's sickest members and how the agency was handling the task.

Some members of Congress have said the task far exceeds the agency's ability. They have suggested that while the F.D.I.C. pays attention to the ailing institutions, bank examinations would be left unattended.

Mr. Seidman tried to reject such charges, although he acknowledged that short-term examinations have fallen 22 percent from last year's level. He added that the agency's total examination of banks this year would be slightly above the level of examinations done in 1988 but down 9 percent from the number of exams the F.D.I.C. had hoped to complete in 1989.

Mr. Seidman disputed assertions that the agency was ineffective in its management of the ailing institutions. He said F.D.I.C. control of the institutions was saving an estimated \$13.6 million a month and that within several months most of the agency's examiners would return to their normal duties of bank supervision.

Mr. Speaker, I would also like to point out that as we march toward the process of guaranteeing these savings and loan institutional bailouts, we are not taking full consideration of the fact that other budget initiatives will be shut down. These amounts of money are so enormous that we should take a look at what they would buy if they were to spend them for some of the more positive initiatives; instead of spending such funds on the bailout of the crooked institutions, which I think is a negative expenditure, if we were to devote ourselves to

spending the same kind of money to other kinds of positive expenditures, I think the American people need to know what it would buy.

Tomorrow in New York City at the Federal Building, 26 Federal Plaza, I will be holding a briefing for nonprofit organizations, social services organizations, for the press, for all kinds of educational institutions to let them know why the next 10 years they cannot look forward to having the Federal Government do very much about alleviating some of the serious problems that we face in terms of our budgetary needs. Indeed, the likelihood is that there are going to be more cuts of Federal expenditures for education and for other kinds of basic care such as health care and housing.

□ 1400

I want the people of my district to understand next year, the year after that, for the next 10 years, why I have to keep coming back emptyhanded. Why I cannot say that our Federal Government recognizes the tremendous problem that we have with education, that our Federal Government recognizes that in this modern era the local school boards and the State government can never provide enough money to keep our schools modern. We cannot do it.

It is impossible the kind of equipment, the kind of facilities needed to provide modern education without help from the Federal Government. After all, the Federal Government takes in the largest amount of taxes. The Federal Government has the largest budget. I think it is quite fitting that we understand that in the area of education, for example, the Federal Government should spend far more than the small amount of money that it is presently spending. We are spending less than 6 percent, paying for less than 6 percent of the total cost of education in our country at this point. The expenditure for education by the Federal Government has gone down in the last 8 years, and the President has not made any attempt to raise the level of expenditures for education. He talks about new programs, but he insists that we have to cut all programs in order to provide the money for new programs.

So educational loan is a major problem that will get no relief if this \$157 billion blockbuster of a spending bill to bail out the crooked savings and loan associations goes forward. Let us look, for example, take a hypothetical example of what it would mean if the \$157 billion was to be spent over the next 10 years for positive programs. That would mean that each year Members would have one-tenth of \$157 billion which is \$15.7 billion to spend.

What would it buy in the area of education? In the area of education we

could provide a quality education to an entire generation of disadvantaged young Americans. We could fully fund chapter 1 which provides remedial courses for millions of children, many of them who are in need and we have identified them. They are in need of this kind of service, are presently not receiving it because we do not have enough money. We can service all 8.5 million children identified as having the need for chapter 1 programs, costing \$2.3 billion out of the \$15.7 billion we have available. We could go on in there and fully fund the Education of Handicapped Act, serving children who have disabilities. We could spend another \$6.5 billion each year on the education of the handicapped. We can fully fund the Head Start Program. We can serve all 2.8 million of the children who are eligible. There are 2.8 million children eligible for Head Start, most not being served because we do not have the money.

If Members had the \$6.3 billion we could serve all of the children who are eligible for Head Start programs. We could fully fund Pell grants for higher education. If there is a maximum grant of \$2,900, as it is today, the maximum is \$2,900 per person, with another \$0.6 billion we could take care of all those people eligible for Pell grants, a total of \$15.7 billion spent for education.

What about housing? What about some kind of Federal Government relief for the people who are homeless, or for the people who are in substandard housing conditions across the country? With \$15.7 billion a year, if we choose to devote it to housing, we could end the housing crisis which is faced by low-income Americans. We could provide section 8 housing vouchers to all of the unserved very low income households, about 2.2 million families with median incomes, 50 percent median incomes. Eleven point one billion dollars is needed to provide the section 8 vouchers to cover the people in need, \$11.1 billion out of the total \$15.7 billion. We could also construct an additional 65,000 new public housing units each year. This would increase the number of public housing units by 50 percent over the next 10 years. With those two items, in the area of housing, we end up spending \$15.7 billion on constructive and positive programs instead of pouring it down the drain on the crooked savings and loan associations.

What about the area of health care? If there is \$15.7 billion to spend on health care, Members could extend the Medicaid coverage to all Americans who are below the poverty line. We have 11 million persons in this country who are officially recognized as being below the poverty line established by the Government. It would take \$9 billion to provide health care for all of those people. We could

extend the Medicare coverage to all pregnant women and children under age with incomes of less than 200 percent of poverty. All children who are eligible would be covered by the WIC Program for only \$1 billion more out of the \$15.7 billion. We can eliminate new monthly premiums, the new monthly premium we are now charging to the senior citizens in the Medicare Catastrophic Coverage Act. We could eliminate that and cover that with \$2.2 billion out of the \$15.7 billion. We could freeze Medicare part B premiums using just \$1 billion out of the \$15.7 billion. We could double the alcohol, drug abuse, and mental health block grants that go to States and cities, costing only \$0.8 billion for a total of \$15.7 billion in health care.

There are numerous positive creative ways to use the money we are about to pour down the drain on the crooked savings and loan associations. There are numerous ways money can be used, and yet we march forward. The votes have been counted on the floor of the House, it will probably pass when it reaches here because there are not enough voices being raised against it.

The implications are not clear to the American people. We will do something which will haunt Members for many years to come. Our children will be demonstrating, somewhere in the future, against the monumental blunder and error we are about to undertake if we pass the savings and loan association bill. Our children will point a finger at Members and say we were corrupt, we were ineffective, we lacked imagination, we did not do what made common sense. We did not step forward and say, look, how much money do we owe to those depositors out there whose deposit we guaranteed. Let Members pay just those deposits that we guaranteed. Let Members pay them off and get out of this business of subsidizing banks. Banks are the last institutions that the American Government should be subsidizing, but yet we are pouring money down the drain to take care of the crooked savings and loan banks. We are doing what the Government has never done before. When Chrysler was bailed out, there was a great deal of debate on this floor across the country saying that the Government should not bail out a private enterprise. But Chrysler only wanted a loan. Chrysler wanted a loan from the Government, they got a loan. They paid it back. When New York City was in trouble with their government, their government expenditures, and New York City is not a private enterprise, it is a public entity. The expenditures were for public purposes, and yet there was a great debate over whether the Federal Government should give New York City a loan. Large amounts of money were

loaned, but in both those instances, the total amount of money was less than \$5 billion.

If Members had all the interest and the principal, Chrysler and New York City cost less than \$5 billion, and they paid it back. They paid it all back.

In the case of the savings and loan association there is no plan, no proposal that the banks will ever pay the Government back. The taxpayers will lose the money once and for all.

There are those who say if we do not do this, the economy will go down hill. Something will happen in the economy, it will cause more problems than we have already. In other words, they want to present Members with a situation where people have taken the savings and loan association authority, they have misused it, they have abused it and now the banks are failing and they want to order on top of this misuse and abuse, this criminal fraud, they want to add blackmail. They are going to blackmail the American economy and say if we do not bail them out, it will wait for dislocations in other parts of the economy and we will have serious problems as a result.

I do not see why the best minds in America, the best and the brightest of the people in America, and some of them are in Washington, and the executive branch and legislative branch, I do not see why they should stand still and allow themselves to be blackmailed by people who have committed fraud and played footloose and fancy free with the public authority.

□ 1520

I think that there must be some better solutions. I think there must be a better way to recover the money to pay off the depositors and to get out of the business of backstopping these enterprises.

It is still a mystery to many of the American people as to how this was allowed to happen. Well, if you get the ownership of a savings and loan association and you apply to the Government and get the authority and you meet all the requirements, you put up a sign and it says you are in business and the Federal Government stands behind you. Once you put up a sign that says deposits up to \$100,000 are guaranteed by the Federal Government, people come in and put their money in. So by using this method, large numbers of people who never should have been given that authority were able to gain authority over large amounts of money that did not belong to them. They proceeded to spend the money in ways which were quite risky in many cases, and in other cases they were deliberately passing the money into the hands of friends and relatives and various kinds of business associates that would never return it. After having committed that crime—and it was a crime in many cases, but in some

cases it was error—they also had another racket which must be described. They had what are called brokered deposits. None of the Members who have come on the floor who are experts from the Banking Committee have chosen to explain what brokered deposits are.

What are brokered deposits, and how did they impact on the situation? Let me describe in street language what a brokered deposit means. In street language, if a person wanted to borrow \$100 from another person and told that person, "Look, I want to borrow \$100, but I have a friend of mine who is going to guarantee that no matter what happens to me, that \$100 will be repaid," he may also tell the person that he is borrowing the \$100 from, that "I have done some things which are not legal; I have done some things which make it necessary for me to get out of town, so I want to borrow \$100 and my friend is going to guarantee it and I want to let you know there is no problem. I have to get out of town, but he will take care of it."

Then let us say the same person wants to get out of town and he needs more than \$100; he needs \$1,000, but his friend does not have more than \$100. If his friend is a broker, he can turn to his friend and say, "Look, I need \$1,000. If you will go out and round up other people to lend me \$100, I will pay them 12 percent interest. You can't get that kind of interest in any bank. I will pay them 15 percent."

The savings and loan associations were able to pay higher interest than in normal cases, and as they got into more and more trouble, they raised the interest. They would say, "I want to get out of town and I need as much money as I can get, so I will pay you 10- or 15-percent interest on every \$100 you bring in. As you bring in the \$100, then it means that I pay you, first of all, for being the broker. I will give you 10 percent. That means that for every \$100 you bring in, I will give you \$10 and I keep \$90. Then I will pay 12-percent interest out of that \$90, so I end up with \$78. After I take care of all other traveling expenses out of every \$100 that the brokers brought into the bank, we are able to gain \$75 which we can use to get out of town, to go Switzerland, or do whatever we have to do."

Millions and millions of dollars were brought in in this way. The brokers who paid for bringing in the money knew that the institutions were going downhill, they knew they were failing, and they knew the higher the interest rates were, the more likely the institution was to be failing. Any sophomore in high school could have understood that at a certain point. Yet they brought in millions and millions of dollars. Interest was paid to the de-

positors, the broker got his fee, and whatever was left was used by the owners and the people who poured it down the drain for their own needs. It is in Swiss banks, it is in all kinds of crooked investments. That was all considered legal and legitimate. These were the brokered deposits. Nobody bothered to explain brokered deposits to us.

In the consideration of the bill in the Banking Committee by the subcommittee and the full committee, there were proposals that brokered deposits be regulated or eliminated. All kinds of things were proposed, but brokered deposits are going to continue. The same people who were basically guilty in other ways, who are allowing the scandal to reach the point where the American people will have to bail them out to the tune of \$157 billion, are also going to continue their various regulatory schemes. There is not going to be any drastic overhaul of the way savings and loan associations are administered. There are changes that are going to be made, but basically the same crowd will be back; the same people will be making decisions.

Attempts were made to provide for some compensation from the industry. One amendment was proposed that the industry cash the checks for senior citizens without charging them; that was one way to get restitution to the American people. But that amendment was defeated. They are not going to be punished in any way. There is really no great sense of remorse in the industry as a whole.

I see no reason to believe that 2 or 3 years from now, or certainly 5 or 10 years from now, we will not be back again with another savings and loan crisis asking for more money from the taxpayers to bail them out.

All these things are happening, all these things are going forward, and the voices of reason seem to be stilled in many quarters. I certainly would like to point out that the conservatives in the House, those Members who always argue for the minimum amount of interference by the Federal Government, seem to have lost their voice. The people who always argue against crime, and rightly so, seem to have lost their voice.

This is a crime of tremendous proportions. We do not seem to know how to deal with economic crimes in this country, economic crimes which take away millions of dollars and which bind the Government into agreements, legal or otherwise, which cannot be met. Those kinds of crimes have an impact on people everywhere. They have a tremendous impact on these types of situations, and those economic crimes should be recognized for what they are. The people who commit these crimes should have the same kind of indignation aroused

against them that we would feel on any other front.

I hope there will be more discussion on this as we go forward. I hope that the letter that was sent to the Speaker and to the leadership of the Democratic Party will be responded to in a positive fashion. The members of the populist caucus and the Black Caucus, along with some other Members, came together and issued a letter asking the Speaker and the leadership to please allow at least 10 hours of debate on the floor. We had a base closing bill not too long ago and we had 10 hours of debate on the issue of closing bases around the country. Even though they know they have the votes and the votes have been counted, even though the President has lined up his votes and the votes have been guaranteed by the Democratic Party, whatever the outcome will be, the minimum we should expect is that the American people will be given 10 hours of debate on the floor of the House.

The same group also asked the Speaker to appoint a task force and have that task force consist of the members and chairman of the Ways and Means Committee, and the members and chairmen of the Energy and Commerce Committee and the Banking Committee and have all those committee members look at this proposition of the \$157 billion bailout and give us the best and wisest advice we can get from our leadership before it goes forward to a vote. As I said before, the American people have a right to expect from some of the best and brightest minds in America that there will not be a swindle perpetrated by the network of racketeering and enterprising that persisted before and brought about these crooked savings and loans. They have a right to expect that these minds will be used to protect the American people, that every effort will be made to protect those taxpayers who have to go into their pockets and pay this bill.

One estimate is that the \$157 billion bailout means that about \$500 of every household in America will go to pay off the money that has been stolen by these banks. That is a very serious problem. It is a serious forced commitment. It is a serious robbery of the American people, and they ought to be given every possible consideration before this goes forward.

The students in the square in Beijing, China, are demonstrating and they are quite angry about two things—corruption and ineptness. If future generations examine this deal, if they examine this bill that is before us, I am afraid that if we do not do something different than what is being done now, the finger is going to be pointed at us and we are going to be accused of being corrupt and ineffective. We are going to be accused of a lack of imagination, and we are going

to be accused of making decisions for the wrong reasons, decisions that did not protect the American people but which met our own needs.

□ 1530

Mr. Speaker, whether that is the case or not, that is going to be the accusation. There is going to be a poison pill dropped into the American body politic if we do not carefully weigh the alternatives of this \$157 billion commitment.

Nothing that we have done in the last 20 or 30 years has been as monumental and will have as great an impact on the Federal Government and on our ability to meet the needs of people as this blockbuster expenditure of \$157 billion. I think we owe it to the future generations, and we owe it to ourselves, never to be accused of being ineffective, unimaginative, or lacking in integrity.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. STANGELAND (at the request of Mr. MICHEL), for today, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. HEFLEY) to revise and extend their remarks and include extraneous material:)

Mr. HASTERT, for 60 minutes, on May 31.

Mr. HASTERT, for 5 minutes, on May 24.

Mr. COLEMAN of Missouri, for 5 minutes, today.

Mr. McEWEN, for 60 minutes, today.

(The following Members (at the request of Mr. LAUGHLIN) to revise and extend their remarks and include extraneous material:)

Mrs. LOWEY, for 5 minutes, today.

Mr. MONTGOMERY, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. GUARINI, for 5 minutes, today.

Mr. BATES, for 5 minutes, on May 24.

Mr. DURBIN, for 30 minutes, on May 24 and 25.

Mr. POSHARD, for 30 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. GILMAN, in support of House Concurrent Resolution 121, prior to vote.

(The following Members (at the request of Mr. HEFLEY) and to include extraneous material:)

Mr. DONALD E. "BUZ" LUKENS.

Mr. BROOMFIELD in two instances.

Mr. GILMAN.

Mr. LENT.

Mr. HANSEN of Utah.

Mr. COURTER.

Mr. SCHUETTE.

Ms. SNOWE.

Mr. CRANE.

Mr. GALLO.

Mr. GREEN.

Mr. LAGOMARSINO.

Mr. DANNEMEYER.

(The following Members (at the request of Mr. LAUGHLIN) and to include extraneous material:)

Mr. LELAND.

Mr. HOYER.

Mrs. BOGGS.

Mr. MAZZOLI.

Mr. GUARINI.

Mr. STARK in two instances.

Mr. RAHALL in two instances.

Mr. ROE.

Mr. ECKART.

Mr. FAZIO in three instances.

Mr. FAUNTROY.

Mr. FASCELL.

Mr. SMITH of Florida.

Mr. WYDEN.

Mr. SLATTERY.

Mr. APPLEGATE.

Mr. EDWARDS of California.

Mr. MURTHA.

Mr. HOCHBRUECHNER.

ADJOURNMENT

Mr. OWENS of New York. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 31 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, May 24, 1989, at 11 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1246. A letter from the Acting Secretary of the Air Force, transmitting notification that the Tacit Rainbow Program has exceeded its baseline unit cost by more than 15 percent, pursuant to 10 U.S.C. 2431(b)(3)(A); to the Committee on Armed Services.

1247. A letter from the Assistant to the President for National Security Affairs, transmitting his views on the FSX codevelopment project with Japan; to the Committee on Foreign Affairs.

1248. A letter from the Comptroller General, General Accounting Office, transmitting a list of all reports issued or released by GAO in April 1989, pursuant to 31 U.S.C. 719(h); to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 498. A bill to clarify and strengthen the authority for certain Department of the Interior law enforcement services, activities, and officers in Indian country, and for other purposes; with an amendment (Rept. 101-60). Referred to the Committee of the Whole House on the State of the Union.

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 881. A bill to provide for restoration of the Federal trust relationship with, and assistance to the Coquille Tribe of Indians and the individual members consisting of the Coquille Tribe of Indians and for other purposes; with an amendment (Rept. 101-61). Referred to the Committee of the Whole House on the State of the Union.

Mr. UDALL: Committee on Interior and Insular Affairs. Report of the Committee on Interior and Insular Affairs, subdivision among programs of budget allocation for fiscal year 1990, submitted pursuant to section 302(b) of the Congressional Budget Act of 1974 (Rept. 101-62). Referred to the Committee of the Whole House on the State of the Union.

Mr. MOAKLEY: Committee on Rules. House Resolution 160. Resolution providing for the further consideration of H.R. 2072 making dire emergency supplemental appropriations and transfers, urgent supplementals, and correcting enrollment errors for the fiscal year ending September 30, 1989, and for other purposes, and the consideration of H.R. 2442 (Rept. 101-63). Referred to the House Calendar.

Mr. GORDON: Committee on Rules. House Resolution 161. Resolution providing consideration of H.R. 2392, a bill to amend section 37 of the Mineral Leasing Act relating to oil shale claims, and for other purposes. (Rept. 101-64). Referred to the House Calendar.

Mr. UDALL: Committee on Interior and Insular Affairs. H.R. 2392. A bill to amend section 37 of the Mineral Leasing Act relating to oil shale claims, and for other purposes. (Rept. 101-65). Referred to the Committee of the Whole House on the State of the Union.

REPORTED BILLS SPECIALLY REFERRED

Under clause 5 of rule X, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

[Omitted from the Record of May 22, 1989]

Mr. ROSTENKOWSKI: Committee on Ways and Means. H.R. 1278. A bill to reform, recapitalize, and consolidate the Federal deposit insurance system, to enhance the regulatory and enforcement powers of Federal financial institutions regulatory agencies, and for other purposes, with amendment 4. Amendment No. 3 referred to the Committee on Government Operations and to the Committee on Rules for a period ending not later than May 25, 1989, for consideration of such provisions of the amendment as fall within the jurisdiction of those committees pursuant to clause 1 (j) and (q), rule X. The amendment recom-

mended by the Committee on Banking, Finance and Urban Affairs referred to the Committee on Rules for a period ending not later than May 25, 1989, for consideration of such provisions of the amendment as fall within the jurisdiction of that committee pursuant to clause 1(q), rule X. (Report No. 101-54, Pt. 2). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. AUCOIN (for himself and Mr. MILLER of California):

H.R. 2442. A bill to provide additional funds for the programs authorized in the Anti-Drug Abuse Act of 1988 by requiring the transfer of amounts in excess of \$3,738,000,000 that are appropriated or otherwise made available to the Department of Defense for research, development, test, and evaluation for fiscal year 1990 relating to the Strategic Defense Initiative; to the Committee on Appropriations.

By Mr. GIBBONS:

H.R. 2443. A bill to authorize appropriations for fiscal year 1990 for the customs and trade agencies, and for other purposes; to the Committee on Ways and Means.

By Mr. ANDERSON (for himself (by request), Mr. HAMMERSCHMIDT, Mr. OBERSTAR, and Mr. CLINGER):

H.R. 2444. A bill to provide for the appointment of Adm. James B. Busey as Administrator of the Federal Aviation Administration, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. BRYANT (for himself, Mr. COLEMAN of Texas, Mr. DWYER of New Jersey, Mr. JACOBS, and Mr. RAHALL):

H.R. 2445. A bill to prevent U.S. foreign assistance funds from being used for the corrupt personal financial gain of any person or otherwise diverted from their intended use; to the Committee on Foreign Affairs.

By Mr. DAVIS:

H.R. 2446. A bill to prohibit hazing or sexual harassment in the Coast Guard, the merchant marine, or otherwise at sea, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. DOWNEY:

H.R. 2447. A bill to extend the existing temporary suspension of duty for certain small toys and novelty goods, and for other purposes; to the Committee on Ways and Means.

By Mr. FISH:

H.R. 2448. A bill to amend the Immigration and Nationality Act to revise the numerical limitation and preference system for admission of independent immigrants, and for other purposes; to the Committee on the Judiciary.

H.R. 2449. A bill to authorize appropriations for the purpose of carrying out the activities of the Department of Justice for fiscal year 1990 and for other purposes; to the Committee on the Judiciary.

By Mr. GEKAS:

H.R. 2450. A bill to repeal section 89 non-discrimination rules under the Internal Revenue Code of 1986; to the Committee on Ways and Means.

By Mr. HOAGLAND (for himself and Mr. Goss):

H.R. 2451. A bill relating to the tariff treatment of screenhouse tents; to the Committee on Ways and Means.

By Mr. LEWIS of California (for himself, Mr. MICHEL, Mr. MADIGAN, Mr. PAXON, Mr. LAGORMARSINO, Mr. HILLER, Mr. McEWEN, Mr. SOLOMON, Mr. BUNNING, Mr. DORNAN of California, Mr. NIELSON of Utah, Mr. BROOMFIELD, Mr. HENRY, Mr. EDWARDS of Oklahoma, Mr. HYDE, Mr. HUNTER, Mr. EMERSON, Mrs. SAIKI, Mr. SCHUETTE, and Mr. MILLER of Washington):

H.R. 2452. A bill to establish programs to strengthen America's families, and for other purposes; jointly, to the Committees on Education and Labor, Ways and Means, Rules, Banking, Finance and Urban Affairs, the Judiciary, Armed Services, Post Office and Civil Service, and Energy and Commerce.

By Mrs. LOWEY of New York:

H.R. 2453. A bill to amend title 46, United States Code, to provide for consideration of alcohol abuse with respect to issuance, renewal, suspension, and revocation of seamen licenses, and for other purposes; jointly, to the Committees on Merchant Marine and Fisheries and Public Works and Transportation.

By Mr. PEPPER:

H.R. 2454. A bill to amend the Higher Education Act of 1965 to assure low-income students of postsecondary educational opportunities, and for other purposes; to the Committee on Education and Labor.

By Mr. RHODES (for himself, Mr. UDALL, Mr. STUMP, Mr. KOLBE, and Mr. KYL):

H.R. 2455. A bill to designate the Salt-Gila aqueduct of the central Arizona project as the Fannin-McFarland aqueduct; to the Committee on Interior and Insular Affairs.

By Mr. STARK (for himself, Mr. STAGGERS, Mrs. UNSOELD, and Mr. McDERMOTT):

H.R. 2456. A bill to amend the Social Security Act by establishing a program to be funded by a trust fund financed by increasing certain excise taxes, under which a coordinated system of treatment providers, assessment and case-management experts, and case and program evaluators shall provide treatment services to persons suffering from drug or alcohol addiction; jointly, to the Committees on Ways and Means and Energy Commerce.

By Mr. WALKER:

H.R. 2457. A bill to require the Environmental Protection Agency to conduct a study and produce a decision aid to assist State and local authorities in planning and managing suburban and rural growth and development while preserving environmental quality; to the Committee on Science, Space, and Technology.

By Mr. WYDEN:

H.R. 2458. A bill to authorize the Secretary of Housing and Urban Development to carry out a demonstration program of providing grants to housing development agencies to acquire abandoned and vacant housing for rehabilitation and rehabilitation by homeless and low-income families; to the Committee on Banking, Finance and Urban Affairs.

By Mr. BOSCO (for himself, Mrs. BOXER, and Ms. PELOSI):

H.J. Res. 281. Joint resolution to approve the designation of the Cordell Bank National Marine Sanctuary, to disapprove a term of that designation, and to prohibit the exploration for, or the development or produc-

tion of, oil, gas, or minerals in any area of that sanctuary; to the Committee on Merchant Marine and Fisheries.

By Ms. SNOWE (for herself, Mr. FRENZEL, Mr. ROE, Mr. BLILEY, Ms. KAPTUR, Mr. GUNDERSON, Mr. DENNY SMITH, Mr. HEFNER, Mr. BLAZ, Mr. WOLF, Mr. PAYNE of New Jersey, Mr. LEHMAN of Florida, Mr. DORNAN of California, Mr. ERDREICH, Mr. HORTON, Mr. BILBRAY, Mrs. ROUKEMA, Mr. MATSUI, Mr. TRAXLER, Mr. DYMALLY, Mr. McGRATH, Mr. JONTZ, Mr. BERMAN, Mr. LAGOMARSINO, Mr. KOSTMAYER, Mr. HATCHER, Mrs. BOXER, Mrs. SAIKI, Mr. ACKERMAN, and Mr. SPENCE):

H.J. Res. 282. Joint resolution designating November 19-25, 1989, as "National Family Caregivers Week," to the Committee on Post Office and Civil Service.

By Mr. ARMEY:

H. Con. Res. 131. Concurrent resolution expressing the sense of the Congress with respect to the demonstration in Tiananmen Square in Beijing, People's Republic of China; to the Committee on Foreign Affairs.

By Mrs. KENNELLY:

H. Con. Res. 132. Concurrent resolution concerning democracy, human rights, and justice in the People's Republic of China; to the Committee on Foreign Affairs.

By Mr. ROTH:

H. Con. Res. 133. Concurrent resolution honoring Col. James N. Rowe; to the Committee on Foreign Affairs.

By Mrs. SAIKI (for herself, Mr. BLAZ, Mr. HUNTER, Mr. MYERS of Indiana, Mr. HORTON, Mr. CAMPBELL of California, Mr. GINGRICH, Mr. ROTH, Mr. LAGOMARSINO, Mr. DREIER of California, Mr. GUNDERSON, Mr. BURTON of Indiana, Mr. ARMEY, Mr. MORRISON of Washington, Mr. DORNAN of California, Mr. CHANDLER, Mr. COUGHLIN, Mr. MILLER of Washington, Mr. BALENGER, Mr. BUNNING, Mr. BUECHNER, Mr. HASTERT, Mr. SKEEN, Mr. CLINGER, Mr. CONTE, Mr. GRANDY, Mr. RHODES, Mr. WELDON, and Mrs. BENTLEY):

H. Con. Res. 134. Concurrent resolution expressing the sense of Congress in support of democratic rights of the people of the People's Republic of China; to the Committee on Foreign Affairs.

By Mr. SCHUETTE:

H. Con. Res. 135. Concurrent resolution expressing the sense of Congress that Guillermo Endara should be invited to address a joint meeting of Congress; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

108. By the SPEAKER: Memorial of the Legislature of the State of Alaska, relative to schools on military bases; to the Committee on Education and Labor.

109. Also, memorial of the Senate of the State of Hawaii, relative to the Waialae sewage treatment plant expansion project; to the Committee on Public Works and Transportation.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 5: Ms. LONG and Mr. DORGAN of North Dakota.

H.R. 30: Mr. LEVIN of Michigan, Mr. PALONE, Mr. FLAKE, Mr. WOLPE, Mrs. BOGGS, and Mr. NEAL of Massachusetts.

H.R. 40: Mr. ECKART.

H.R. 41: Mr. CAMPBELL of California, Mr. DURBIN, Mr. LEHMAN of Florida, Mr. MATSUI, Mr. OBERSTAR, Mr. ROBINSON, Ms. SCHNEIDER, and Mr. SOLARZ.

H.R. 46: Mr. ANDERSON.

H.R. 70: Mr. FALEOMAVAEGA and Mr. HERGER.

H.R. 215: Mr. JONES of North Carolina, Mr. HYDE, and Mr. JOHNSON of South Dakota.

H.R. 360: Mr. OBERSTAR.

H.R. 361: Mr. OBERSTAR.

H.R. 418: Mr. WOLPE, Mr. ACKERMAN, and Mr. MINETA.

H.R. 500: Mr. BEILENSEN.

H.R. 586: Mr. SCHUETTE.

H.R. 711: Mr. LEWIS of Georgia, Mr. HALL of Ohio, Mr. MURTHA, and Mr. BRUCE.

H.R. 720: Mrs. BOXER, Mr. CHANDLER, Mr. HOUGHTON, Mr. LANTOS, Mr. LEVINE of California, Mr. VALENTINE, and Mr. BRYANT.

H.R. 737: Mr. OWENS of Utah, Mr. STUMP, Mr. BOSCO, Mr. SHUMWAY, and Mr. SKEEN.

H.R. 775: Mr. DONNELLY, Mr. BEILENSEN, Mr. CLEMENT, Mr. FAUNTROY, Mr. BONIOR, and Mrs. COLLINS.

H.R. 777: Mr. ALEXANDER, Mr. CONTE, Mr. DYMALLY, Mr. ERDREICH, Mr. FRANK, Mr. JONES of Georgia, Mr. KLECZKA, Mr. McDADDE, Mr. NEAL of Massachusetts, and Mr. PETRI.

H.R. 796: Mr. PAYNE of New Jersey, Mr. McDERMOTT, Mr. SMITH of New Hampshire, Mr. JONES of North Carolina, Mr. LEHMAN of California, Mr. ACKERMAN, Mr. MARTIN of New York, Mr. McNULTY, Mrs. LLOYD, Mr. TRAXLER, Mr. PANETTA, Mr. BILBRAY, and Mr. YATES.

H.R. 806: Mr. SPRATT and Mr. FEIGHAN.

H.R. 844: Mr. SOLOMON and Mr. BILIRAKIS.

H.R. 874: Mr. JACOBS, Mr. RANGEL, and Mr. EDWARDS of Oklahoma.

H.R. 911: Mr. ALEXANDER, Mrs. BENTLEY, Mr. BERMAN, Mr. BILBRAY, Mr. BLILEY, Mr. BROWN of Colorado, Mr. BUNNING, Mr. CARPER, Mr. CHANDLER, Mr. COBLE, Mr. COLEMAN of Missouri, Mrs. COLLINS, Mr. DAVIS, Mr. DORGAN of North Dakota, Mr. ESPY, Mr. GEKAS, Mr. GOODLING, Mr. GORDON, Mr. HANCOCK, Mr. HATCHER, Mr. HEFNER, Mr. HENRY, Mr. HUGHES, Mr. HUNTER, Mr. HUTTO, Mr. HYDE, Mr. IRELAND, Mr. JOHNSON of South Dakota, Mr. KOSTMAYER, Mr. KYL, Mr. LANCASTER, Mr. LANTOS, Mr. LEATH of Texas, Mr. LEWIS of Georgia, Ms. LONG, Mr. LOWERY of California, Mrs. LOWEY of New York, Mr. MARLENEE, Mr. MAZZOLI, Mr. McCURDY, Mr. McDADDE, Mr. McNULTY, Mr. NATCHER, Mr. NEAL of North Carolina, Mr. PANETTA, Mrs. PATTERSON, Mr. PAYNE of Virginia, Mr. PEASE, Mr. PETRI, Mr. PICKETT, Mr. QUILLLEN, Mr. RAVENEL, Mr. RHODES, Mr. RICHARDSON, Mr. RINALDO, Mr. RITTER, Mr. ROBERTS, Mr. ROBINSON, Mr. ROGERS, Mrs. SAIKI, Mr. SAXTON, Ms. SCHNEIDER, Mr. SISISKY, Ms. SNOWE, Mr. SOLOMON, Mr. STANGELAND, Mr. TAUKE, Mr. THOMAS of Georgia, Mr. WALGREN, Mr. WALKER, Mr. WELDON, and Mr. WILSON.

H.R. 917: Mr. BILIRAKIS and Mr. SMITH of Florida.

H.R. 952: Mr. LAGOMARSINO and Mr. HOAGLAND.

H.R. 979: Mr. PICKETT, Mr. HALL of Ohio, Mr. RUSSO, Mr. SKEEN, and Mr. KOSTMAYER.

H.R. 982: Mr. BROWDER and Mr. HUTTO.

H.R. 987: Mr. ROSE, Mr. HENRY, Mr. WEISS, Mr. ANNUNZIO, Mr. TRAXLER, Mr. LI-

PINSKI, Mr. HOUGHTON, Mr. LEVIN of Michigan, Mr. LELAND, Mr. TOWNS, Mr. CROCKETT, and Mr. MOAKLEY.

H.R. 1029: Mr. CRAIG.

H.R. 1030: Mr. LANCASTER.

H.R. 1074: Mr. BROWN of California, Mr. MAVROULES, Mr. LEHMAN of California, Mr. BENNETT, Mr. CAMPBELL of Colorado, Mr. MILLER of California, Mr. McHUGH, Mr. SHAW, Mr. WEISS, Mr. BARNARD, Mrs. SMITH of Nebraska, Mr. LAUGHLIN, Mr. SPRATT, Mr. JACOBS, and Mr. DORNAN of California.

H.R. 1101: Mr. ROE, Mr. WISE, and Mrs. SAIKI.

H.R. 1104: Mr. COURTER, Mr. SHAYS, Mr. LIGHTFOOT, and Mr. HOLLOWAY.

H.R. 1109: Mr. OWENS of Utah, Mr. ROBERT F. SMITH, and Mr. DELLUMS.

H.R. 1157: Mrs. BENTLEY, Mr. COYNE, and Ms. PELOSI.

H.R. 1158: Mrs. BENTLEY, Mr. COYNE, and Ms. PELOSI.

H.R. 1166: Mrs. BYRON, Mr. OLIN, Mr. QUILLLEN, Mr. SPRATT, Mr. HUBBARD, and Mr. COOPER.

H.R. 1167: Mr. OLIN, Mr. SPRATT, Mr. HUBBARD, and Mr. COOPER.

H.R. 1216: Mr. KENNEDY, Mr. MORRISON of Connecticut, Mr. AKAKA, Mr. JONTZ, Mr. HALL of Ohio, Mr. FAWELL, Mrs. UNSOLD, Mr. BUSTAMANTE, Mr. STAGGERS, Mr. SKELTON, and Mr. WEISS.

H.R. 1295: Mr. SCHUETTE.

H.R. 1351: Mr. WEBER, Mr. HERGER, and Mr. BURTON of Indiana.

H.R. 1432: Mr. DOWNEY, Mr. FAUNTROY, Mr. FLORIO, Mr. FRANK, Mr. ROBINSON, Mr. MANTON, Ms. PELOSI, Mr. RICHARDSON, Mr. SOLARZ, Mr. STAGGERS, and Mr. SYNAR.

H.R. 1461: Mr. SPENCE, Mr. ACKERMAN, Mr. GEPHARDT, Mr. LEWIS of Georgia, and Mr. DYMALLY.

H.R. 1465: Mr. ATKINS, Mr. CLEMENT, Mrs. LOWEY of New York, Mr. CONTE, Mr. ERDREICH, Mr. CHANDLER, Mr. TORRICELLI, Mr. GALLO, Mr. RICHARDSON, and Mr. ACKERMAN.

H.R. 1573: Ms. PELOSI, Mr. PAYNE of New Jersey, and Mr. BROWN of California.

H.R. 1574: Mr. DORGAN of North Dakota, Ms. PELOSI, Mr. JOHNSTON of Florida, and Mr. CLEMENT.

H.R. 1632: Mr. FRANK.

H.R. 1654: Mr. FAZIO.

H.R. 1953: Mr. STANGELAND, Mr. DONALD E. LUKENS, Mr. DANNEMEYER, Mr. ARMEY, and Mrs. BENTLEY.

H.R. 1992: Mr. CARPER.

H.R. 2008: Mr. DE LUGO, Mr. HYDE, Mr. BEREUTER, Mr. DUNCAN, Mr. McCOLLUM, Mr. HENRY, Mr. DICKINSON, Mr. MILLER of Ohio, Mr. ROBERT F. SMITH, Mr. KOLBE, and Mr. LIGHTFOOT.

H.R. 2022: Mr. SANGMEISTER, Mr. BUSTAMANTE, Mr. RANGEL, Mr. COURTER, Mr. PAXON, Mr. JOHNSTON of Florida, Mr. SAWYER, and Mr. BOUCHER.

H.R. 2042: Mr. THOMAS of Georgia, Mr. McCLOSKEY, Mr. STALLINGS, Mr. ROBERTS, Mrs. MARTIN of Illinois, Ms. LONG, Mr. WOLPE, Mr. STENHOLM, and Mr. PENNY.

H.R. 2060: Mr. GEJDENSON, Mr. SIKORSKI, Mr. ROBINSON, Mr. BRYANT, Mr. EVANS, and Mr. FUSTER.

H.R. 2102: Mr. EDWARDS of Oklahoma.

H.R. 2110: Mr. FUSTER, Mr. ROBINSON, Mr. GEKAS, and Mr. JAMES.

H.R. 2126: Mr. COOPER.

H.R. 2238: Mrs. BENTLEY, Mr. DWYER of New Jersey, and Mr. HATCHER.

H.R. 2273: Mr. BRYANT, Mr. BOEHLERT, Mr. OWENS of Utah, Mr. DICKS, Mr. MACHTLEY, Mrs. SCHROEDER, Mr. BONIOR, and Mr. CARPER.

H.R. 2290: Mr. DYMALLY, Mr. TORRES, Mr. MORRISON of Connecticut, Mrs. BOGGS, and Mrs. BOXER.

H.R. 2291: Mr. PALLONE and Mr. LIPINSKI.

H.R. 2330: Mr. SMITH of Vermont, Mr. LAGOMARSINO, and Mr. LEWIS of Georgia.

H.R. 2373: Mr. WALSH, Mrs. JOHNSON of Connecticut, and Mr. UPTON.

H.R. 2392: Mr. OWENS of Utah.

H.R. 2426: Mr. DWYER of New Jersey and Mr. POSHARD.

H.J. Res. 94: Mr. WAXMAN.

H.J. Res. 98: Mr. LANTOS and Mr. FROST.

H.J. Res. 104: Mr. McHUGH, Mr. WOLF, Mr. HARRIS, Ms. LONG, and Mr. PETRI.

H.J. Res. 131: Mr. BERMAN, Mr. BOUCHER, Mr. KILDEE, Mr. BROOMFIELD, Mr. FORD of Tennessee, Mr. FLORIO, and Mr. SMITH of Mississippi.

H.J. Res. 138: Mr. HALL of Ohio, Mr. PICKETT, Mr. SKEEN, Mr. LANTOS, and Mr. KOSTMAYER.

H.J. Res. 151: Mr. HAYES of Illinois, Mr. KOLTER, Mr. ATKINS, Mr. GUNDERSON, Mr. YOUNG of Alaska, Mr. ROGERS, Mr. FLIPPO, Mr. NIELSON of Utah, Mr. RANGEL, Mr. MILLER of Washington, Mr. BERMAN, Mr. DYSON, Mr. COYNE, Mr. TRAXLER, Mr. YATRON, Mr. CARPER, Mr. GRANDY, Mr. SKELTON, Mr. SAWYER, Mr. HAYES of Louisiana, Mr. TOWNS, Mr. EVANS, Ms. KAPTUR, Mr. WALGREN, Mr. KASICH, Mr. McEWEN, Mr. KOSTMAYER, Mr. MARTIN of New York, Mr. OWENS of New York, Mr. OWENS of Utah, Mr. FUSTER, Mr. BOUCHER, Mr. LANTOS, Mr. YOUNG of Florida, Mr. WATKINS, Mrs. SAKI, Mr. NEAL of North Carolina, and Mr. TAUZIN.

H.J. Res. 160: Mr. GONZALEZ and Mr. FROST.

H.J. Res. 178: Mr. MAZZOLI, Mrs. PATTERSON, Mr. PEPPER, Mr. MATSUI, Mr. McGRATH,

Mr. FLORIO, Mr. JONTZ, Mr. DYMALLY, Mr. BUSTAMANTE, Mr. COUGHLIN, Mr. KOLTER, Mr. NIELSON of Utah, Mr. EMERSON, Mr. ROWLAND of Connecticut, Mr. TAUKE, Mr. COURTER, Mr. BONIOR, Mr. WALSH, Mrs. COLLINS, Ms. KAPTUR, and Mr. FROST.

H.J. Res. 209: Mr. FISH, Mrs. VUCANOVICH, Mr. LANCASTER, Mr. MARTINEZ, Mr. LAGOMARSINO, Mr. FROST, Mr. DeWINE, Mr. CLEMENT, Ms. LONG, Mr. YOUNG of Florida, and Mr. LANTOS.

H.J. Res. 223: Mr. STALLINGS, Mr. SAWYER, Mr. FLORIO, Mr. PICKETT, and Mr. RAVENEL.

H.J. Res. 230: Mr. FLORIO, Mr. EVANS, Mr. HENRY, Mr. WOLPE, Mr. CONTE, Mr. CARPER, Mr. KLECZKA, Mr. DORGAN of North Dakota, Mr. WOLF, Mr. SCHULZE, Mr. AuCOIN, Mr. DENNY SMITH, Mr. GRANDY, Mr. FUSTER, Mr. JONES of North Carolina, Mr. GEKAS, Mr. ROYBAL, Mr. HOPKINS, Mr. OWENS of New York, Mr. ALEXANDER, Mr. SMITH of Florida, Mr. BROWN of California, Mr. WYLIE, Mrs. BOGGS, Mr. COX, Mr. ERDREICH, Mr. MILLER of Washington, Mr. LEWIS of Georgia, Mr. BUECHNER, Mr. HALL of Ohio, Mr. YOUNG of Florida, Mr. SAWYER, Mr. TAUKE, Mrs. UNSOELD, Mr. FASCELL, Mr. MORRISON of Connecticut, Mr. CHANDLER, Mr. FALCOMAVEGA, Mr. STALLINGS, and Mr. ROTH.

H.J. Res. 231: Mr. FROST, Ms. PELOSI, Mrs. MEYERS of Kansas, Mr. WYDEN, Mr. DeWINE, Mr. LANCASTER, Mr. YOUNG of Florida, and Ms. LONG.

H.J. Res. 255: Mr. WALGREN, Mr. FUSTER, Mr. DONNELLY, Mr. DYMALLY, Mr. DWYER of New Jersey, Mr. SAXTON, Mr. SMITH of New Jersey, Mr. HORTON, Mr. FLORIO, Mr. ERDREICH, Ms. LONG, Mr. LAGOMARSINO, Ms. KAPTUR, Mr. ACKERMAN, Mrs. JOHNSON of Connecticut, Mr. BEVILL, Mr. RANGEL, Mr. FAZIO, Mr. BUSTAMANTE, and Mr. CARPER.

H.J. Res. 264: Mr. HILER.

H. Con. Res. 40: Mr. HATCHER.

H. Con. Res. 101: Mr. WALSH.

H. Con. Res. 110: Mr. DELLUMS, Mr. MURPHY, Mr. BILBRAY, Mr. BERMAN, Mrs. PATTERSON, Mr. ROBINSON, and Mr. DYMALLY.

H. Res. 21: Mr. FORD of Michigan, Mr. WILSON, Mr. POSHARD, Mr. KOLTER, Mr. ROE, and Mr. CROCKETT.

H. Res. 157: Mrs. BYRON, Mr. DINGELL, Mr. GREEN, Mr. DURBIN, Mr. HENRY, Mrs. VUCANOVICH, Mr. MOORHEAD, Mr. DYMALLY, Mr. DARDEN, Mr. SHAYS, Mr. AuCOIN, Mr. VENTO, Mr. GOODLING, Mr. LIPINSKI, Mr. MACHTLEY, Mr. NEAL of Massachusetts, Mr. McGRATH, Mr. CARDIN, Mr. JONTZ, Ms. PELOSI, Mr. MATSUI, Mr. HASTERT, Mr. MORRISON of Connecticut, Mr. THOMAS of Georgia, Mr. JONES of Georgia, Mrs. MARTIN of Illinois, Mr. JOHNSTON of Florida, Mrs. KENNELLY, Mr. LAUGHLIN, Mr. BURTON of Indiana, Mr. KOLBE, Mrs. MORELLA, Mr. VALENTINE, Mr. ATKINS, and Mr. YATES.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1470: Mr. ROBINSON.

PETITIONS, ETC.

Under clause 1 of rule XXII:

41. The SPEAKER presented a petition of the common council of the city of Gary, IN, relative to jobs and the economy; which was referred to the Committee on Education and Labor.

EXTENSIONS OF REMARKS

IN RECOGNITION OF REPRESENTATIVE WILLIAM LEHMAN

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. FASCELL. Mr. Speaker, an unfortunate consequence of the hectic pace of our schedules is that we do not always take time to recognize the fine men and women we are privileged to serve with. When one of our colleagues announces his or her retirement we always find the time to tell a good story or two about our good friend, but I feel we should take the time to recognize our peers a little more often. In this vein, I am honored to serve with BILL LEHMAN, and I am even prouder to call BILL my good friend. The contributions he has made and his commitment to improving his community and his country are a small reflection of BILL's virtue.

BILL came to the House after many years running a successful business, and has represented Florida's 17th Congressional District since 1972. I know that these are good people because when I first came to the House of Representatives, I had the privilege of representing much of what is now his district. Having served with BILL for all these years, I can honestly say that my former constituents are very fortunate to have a man of BILL's integrity, character, and perseverance fighting their fights in Washington. Through his courageous stands on many of the tough issues of our day, BILL has demonstrated that he is willing to vote his conviction.

For many years now, Jeanne-Marie and I have had the pleasure and the good fortune of knowing that Bill and Joan Lehman are wonderful people. I would like to take a moment and share with our colleagues an article from the May 17 edition of the Fort Lauderdale Sun-Sentinel which should remind us of how fortunate we are to have a man like BILL LEHMAN in the House of Representatives.

[From the Ft. Lauderdale Sun-Sentinel, May 17, 1989]

THE UN-POLITICIAN—HIS PRINCIPLED APPROACH ISN'T ALWAYS POPULAR, BUT IT'S ALL REP. BILL LEHMAN IS WILLING TO GIVE
(By William E. Gibson)

Need a friend in Washington? Somebody to deliver those hard-to-find federal dollars for a favorite project in Florida?

The man to see is a former used-car salesman, former teacher of classic literature, former school board chairman who made desegregation work.

He is one politician you would—and maybe once did—trust enough to sell you a used car.

He is U.S. Rep. Bill Lehman, D-Biscayne Park. "D" for Democrat. "D" for Defying conventional wisdom, public pressure and most stereotypes of a good ol' boy from Alabama.

The most liberal congressman from one of the most conservative states has emerged this year as arguably the most important member of Florida's Washington delegation.

When sticky issues come to a vote, he may be out there all alone, taking a principled stand that makes him unpopular.

But from his perch on the House Appropriations Committee, Lehman is Florida's best hope for loosening up congressional purse strings to pay for local projects.

Lehman is the "un-politician." He tells folks flat out what they don't want to hear and then finds a way to solve their problems anyway.

"I'm a facilitator," Lehman says of his role in Congress. "In my position, I do have some political leverage to get things done."

Some people might call this way of getting things done a series of tradeoffs.

"A tradeoff," Lehman says, "is the oil that makes the wheels turn."

BACK-ROOM WORK

They all came courting, the transportation specialists and local pleaders from around the nation.

Nearly a hundred of them came before Lehman's Subcommittee on Transportation last month. They each had 5 minutes to make one last pitch for federal dollars to build this bridge or complete that highway, create a railway or pave a runway.

Amid the tug of war for federal dollars, Lehman finds ways to earmark money for South Florida, even when some people back home call his ideas crazy or wasteful.

South Florida has begun to move by rail this decade, largely because of Lehman's dealings in Washington. Overcoming all doubts and criticism, he has found money over the past few years for the Tri-County Commuter Rail, Metrorail and Miami Downtown Metromover.

He gets these goodies by balancing out requests in the collegial atmosphere of congressional back rooms.

It comes down to something like this: "I know that Bill Natcher [D-Ky.] wants to help us in Dade County," Lehman remarks, "but I also know he wants a bridge over the Ohio River." The result will be more transit money for South Florida and a new bridge to Kentucky.

Some would call it a political deal. Lehman calls it "mutuality of needs."

STRONG CONVICTIONS

Quick to negotiate over transportation projects, Lehman, the Great Facilitator, refuses to compromise on matters of strong conviction.

Sinking into a sofa in his pleasant Capitol Hill apartment on a bright spring day, Lehman shrugs off the politically risky episodes that have marked his public career.

"When it comes to right-to-life, gun control, Contra aid, the MX missile—on these sensitive subjects I just have to vote my convictions," he says. "I just can't do it another way. I guess I wish I could."

No amount of pressure has altered his support for legal abortion and gun control, nor has it blunted his opposition to the MX missile and weaponry for the Nicaraguan rebels.

During the bitterest hours of the Contra aid debate in the mid 1980s, Lehman was lambasted daily over Cuban-American radio because of his steadfast opposition to military assistance.

"I wanted to vote responsibly, not symbolically," Lehman now says. "And I just figured the war was over."

Two bomb threats came into Lehman's office. A torrent of angry callers tied up the switchboard. And more angry callers who could not get through accused Lehman of taking his phone off the hook.

Lehman never budged. While every other Florida congressman at some point voted for military aid, Lehman kept his early pledge never to vote to send another bullet to Central America.

"Up to a certain point in your life," he says, "if you have to compromise to keep your job, it isn't worth it."

CONCERN ABROAD

Typical of Lehman, he still found a way to soothe his critics while doing something he believed in.

Lehman jumped at a chance this past October to help release three Cuban prisoners who had been jailed more than 20 years for their political beliefs.

He formed an alliance with the Cuban-American National Foundation, which had been sharply critical of his contrariness on Contra aid, and spent three days in Cuba negotiating the release. Lehman chartered a plane at his own expense and escorted the three prisoners to freedom in Miami.

The Cuban episode was only the latest example of Lehman's public service abroad. After losing his own daughter to cancer, Lehman rescued two teen-age girls, one in Argentina, one in the Soviet Union.

Hearing that Debora Benchoam had been imprisoned for espousing democracy, Lehman ignored resistance from the State Department and traveled to Argentina in 1981 to negotiate her release. He convinced Argentine officials that he sought no publicity and merely wanted to take personal custody of the girl, who spoke no English and had never met this bewildering congressman from the United States.

Lehman gave Benchoam freedom and a new home and later attended her wedding.

Then in 1984, Lehman heard about a Soviet teen-ager who was about to die for lack of a heart valve. He packed an artificial valve in his suitcase on a trip to the Soviet Union and smuggled it to the young girl in time to save her life.

INNER NEEDS

Lehman cannot quite explain or reconcile his knack for standing against the popular will at some times while all the while serving public needs.

After ransacking his brain for an explanation, he shrugs and says, "It's my job."

His wife, Joan, a sculptor, attributes all of Lehman's seeming contradictions to his "inner needs," originally formed in impoverished Alabama where he was born the son of a candy manufacturer 75 years ago.

"Growing up in a little town and, in a way, having more than other people during a bad time for our country, he felt a little bit un-

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

comfortable because he wanted to be like the other kids," Joan says.

Lehman's father and mother were models of civic-minded integrity, qualities he took with him to Miami during the Great Depression.

Lehman opened up his business, selling and financing cars to black and white customers, an unusual practice in that day.

Joan, who also came to Miami from Alabama, says they experienced bigotry in a personal way. "We're Jewish," she says, "and I grew up with signs all over the place—'Restricted Clientele.' There were places we could not go."

Lehman, shuffling around the hot asphalt car lot in scuffy shoes and a fishing cap, created a character for himself called "Alabama Bill." He began appearing on a hillbilly television show, sitting on a bale of cotton, advertising his cars and giving away stacks of Confederate money.

Along the way, Lehman, feeling restless, decided he wanted to teach school in Dade County. He recalls, "I was just troublesome enough to teach books nobody else was teaching, such as *Huckleberry Finn*, *The Merchant of Venice* and *The Quiet American*."

Restless again, Lehman shifted his attention to the treacherous world of politics.

UNPOLITIC DECISION

Lehman's loyal customers—a mix of Crackers, Jews and blacks—helped him get elected to the school board. And his reputation for fairness helped him bridge racial gaps and put into practice a court-ordered school busing plan to desegregate the schools.

Not everybody was happy about it.

"That was a time when I would go out to school-board meetings and I would have to have a person from security escort me in and out," he recalls. "A lot of people, when I was on the school board, said, 'I'll never buy a car from anybody else, but I won't vote for you on account of that busing.'"

"The busing controversy still loomed over Lehman when he ran for Congress in 1972. A long-shot candidate, he made a fateful and unpolitic decision.

His advisers insisted that he go on television saying, "No more forced cross-town busing."

"I said, 'No way, that is not me,'" Lehman now recalls. "They said, 'You want to get elected?' And I said, 'That bad, I don't want to get elected, because I've been trying to work with desegregation on the school board for six years, and I'd be going against what I've been doing, what I am.'"

Lehman is convinced his principled decision earned him the editorial endorsement of the *Miami Herald*, which may have made the 200-vote difference that put him in the runoff election and cleared the way for eventual victory.

"Rationalizations would have gotten me in trouble," he says.

CLOSE TOUCH

How does he get away with it?

Lehman represents a district well suited for his maverick brand of liberal politics.

It stretches from the predominately Jewish neighborhoods along the coastline north of Miami to black communities in Liberty City, Carol City and Opa-Locka. This district includes Hispanic neighborhoods in Hialeah, where many residents rely on federal programs, and the suburbs in North Central Dade.

Lehman has avoided the pitfalls of a veteran congressman by staying in close touch with his loyal following back home.

Airport baggage-handlers and chance passers-by will come up to Lehman to remind him about the time he once did them a favor.

"He can make people angry too; I've seen him do that," Joan says. "Sometimes he has to be real harsh, you know, and just tell them, 'This is the way it is.' And then they aren't too happy about it."

"He votes a lot of times against the whole House if he believes in something," she says. "And somehow people stick by him no matter what he votes."

Lehman maintains his popularity among his colleagues by forming personal friendships that cross partisan and ideological lines.

"My experience is that if you do it above-board and you manage to keep your civility about it, you can still be friends," he says.

His regular tennis partners range from Rep. Don Edwards, D-Calif., the essence of a San Francisco-area liberal, to Rep. Sonny Montgomery, D-Miss., the epitome of an old-guard Southern conservative.

"We get along just fine on the tennis court," Lehman says.

DAUNTING CHALLENGES

"The score was five games to five, and Lehman was moving across the tennis court on 75-year-old legs, sending mean little drop shots just over the net, then lobbing the ball high overhead, forcing his much younger opponent to huff and puff.

Lehman, despite age and past health problems, still proves fully capable of beating a competitive player half his age.

A cancerous tumor in his jaw, requiring surgery and radiation treatments in 1983, did not quench Lehman's restlessness. His operation left a slur in his speech, which makes him reluctant to appear on television or radio, but does not slow his frenetic pace.

His fantasy is to retire from Congress and travel the country on the 75-and-older tennis tour.

His actual plans are to remain in Congress and carry on the task of doling out appropriations. He now faces one of his more daunting challenges.

Lehman has become Florida's lonely leader on funding matters because of the absence this year of former Sen. Lawton Chiles, D-Fla., and former Rep. Bill Chappell, D-Ormond Beach. Lehman demurs, however, when asked about his political clout. "I have more political responsibility now," he says. "Clout is not my style."

All of this seems a long way from the days when "Alabama Bill" made corny cracks on television. Joan regrets those old commercials, saying she knew Lehman would never be rid of "Alabama Bill."

Lehman himself seems somewhat sheepish about the old image but fails to see any disparity in his past and present roles. While he once helped people by loaning a car, forgiving an old debt or repairing a gasket, he now comes up with ways to connect highways, buy rail cars or free political prisoners.

"The car business, the school board and being up here," he says, "is not all that different."

"If you show the ability to produce, people gravitate to you. People seem to think that I can provide some help to them."

THE REFUGEES IN CYPRUS: IT'S TIME FOR SOME OF THEM TO GO HOME

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. BROOMFIELD. Mr. Speaker, since the Turkish invasion of Cyprus in 1974, over 150,000 Greek Cypriots have been refugees in their own land. When Turkish forces took control of the northern part of that island, many Greek Cypriot refugees fled southward, Turkish Cypriots were also affected by the de facto partition of that lovely island. I urge the administration to do everything possible to support a United Nations plan to resettle some Greek Cypriots, as well as some Turkish Cypriots, in New Famagusta [Varosha] as soon as possible. I plan to introduce an amendment to the foreign aid bill which would encourage both sides to the conflict to cooperate in returning these Greek-Cypriot and Turkish-Cypriot refugees to their homes in New Famagusta.

In 1984, the United Nations Security Council adopted Resolution 550 which deemed as inadmissible any attempts to settle any part of the Cypriot resort city of New Famagusta [Varosha], a coastal city north of the Green Line which divides Cyprus. The resolution also calls for the transfer of this city to the administration of the United Nations. Unfortunately, this resolution has never been implemented by the Turkish Cypriots who control the northern part of the island where New Famagusta is located.

In violation of the spirit and the letter of the U.N.'s resolution, Turkish Cypriot students from the northern part of the island have occupied a number of Greek-Cypriot-owned hotels in that closed city. Although Turkish officials claim that they are using those hotels because of a housing shortage, the students continue to use those facilities.

A few years ago, both communities on that divided island proposed the return of the refugees to the city of New Famagusta. I encourage the United Nations to actively support this positive initiative for the cause of a peace on that troubled island, and urge the administration to support this effort to get some of the refugees home where they belong.

I plan to offer an amendment to the foreign aid bill which would require our Government to withhold a portion of U.S. military assistance to any of the parties to the conflict who refuse to cooperate in this effort to resettle New Famagusta.

Now is the time to take a brave step along the road to peace on that troubled island. We must make it perfectly clear to all of the concerned parties to that dispute that the world community no longer tolerates the continuation of this artificial division of a sovereign nation.

**A TRIBUTE TO A GREAT
PHILANTHROPIST: JOHN JOYCE**

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mrs. LOWEY of New York. Mr. Speaker, I rise today to recognize the philanthropy of Mr. John Joyce, a distinguished resident of my district for over 45 years.

Mr. Joyce, who passed away April 23, 1989, at the age of 80, was the chairman of Joyce Beverage, Inc., based in New Rochelle, NY, from 1973 until his retirement in 1984. A former trustee of Emigrant Savings Bank in Manhattan, Mr. Joyce was also a former director of Lincoln First Banks, Inc. in Rochester, NY.

New Rochelle and the county of Westchester will forever be grateful for the generous work of Mr. Joyce. From 1943 to 1988 Mr. Joyce was a member of the board of governors of the New Rochelle Hospital Medical Center, and in 1988 he was made an honorary member of the board. The Joyce Pavilion at the medical center is named in his honor and is a tribute to the contributions he made to meeting the health care needs of Westchester residents.

In addition to his work with the New Rochelle Hospital Medical Center, Mr. Joyce was president of the John and Mary A. Joyce Foundation formed by his parents. In that capacity, he directed the contribution of several million dollars to hospitals, churches, and educational institutions throughout the country.

Mr. Joyce was a trustee of Catholic Charities of the Archdiocese of New York, as well as of the Alfred E. Smith Memorial Foundation and the St. Patrick's Cathedral in Manhattan. He was chairman of the board of lay trustees at Iona College in New Rochelle, as well as president of the Boys' and Girls' Club of New Rochelle.

Mr. Joyce's many distinctions include an honorary degree in 1962 from Iona College, and the Distinguished Service Medal presented in 1982 by the Christian Brothers of Iona Preparatory School.

Born in Grand Rapids, MI, in 1908, Mr. Joyce was educated in Missouri. He graduated from the St. Louis University School of Commerce and Finance. He married Catherine Peet of St. Louis in 1934. They have 7 children, 33 grandchildren, and 15 great-grandchildren.

To his family, I extend my deepest sympathy. He will be greatly missed for his charitable efforts, as well as his leadership and devotion, by the people of New Rochelle and Westchester County.

**RECOGNIZING THE PUBLIC
SERVICE OF PETER PENCOLA**

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. MURTHA. Mr. Speaker, recently, the Conemaugh-Franklin Post 833 of the Ameri-

can Legion joined in recognizing a good friend and a dedicated American, Peter Pencola, the mayor of East Conemaugh Borough.

Mayor Pencola has served as mayor, has worked on the school board, and is very involved in veterans affairs in the area.

As more and more people learn about our area's celebration of the flood recovery, they ask me how the community overcame such odds. Well, in the 1977 flood, I talk about the community spirit of people such as Mayor Pencola. He embodies the commitment to community, the dedication to his fellow men and women, and the family spirit that have always been hallmarks of our area, and represent the true spirit of America.

Mayor Pencola was very deserving of this recognition. Through his life and activities, we can all learn how much we can do to help our fellow citizens, and how beneficial to the community it can be. It's a pleasure for me to make this public recognition of the outstanding service of Mayor Peter Pencola.

**THE SALEM HIGH SCHOOL
CLASS OF 1939**

HON. DOUGLAS APPLIGATE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. APPLIGATE. Mr. Speaker, today I rise to recognize two fine organizations to come out of Salem High School, located in my district in Salem, OH. They are the Salem High School Class of 1939 and the Salem High School Alumni Association.

On June 2 of this year, the class of 1939 will be holding its 50th class reunion, and its members will be honored the next evening at the annual SHS Alumni Association dinner. This year about 100 members of the class will attend the reunion out of approximately 200 graduates. The emcee at this golden reunion will be John F. Evans, who is the president of the class of 1939 and now resides in the State of Maryland.

All graduates of Salem High School automatically become members of the alumni association, which is the most richly endowed public high school alumni group in the Nation, with assets of \$1.5 million. Since 1908, based on scholastic ability, the association has awarded over \$1 million in scholarships to 680 high school seniors. This year 38 seniors will receive more than \$105,000 to further their education.

Mr. Speaker, I urge you and my fellow colleagues to join me in praising these worthy organizations. The members of both the class of 1939 and the SHS Alumni Association have enriched the lives of hundreds of Salem High School graduates and brought hope and pride to the Salem community. They also set a wonderful example of how adults can encourage students to work to the best of their ability, enriching themselves, and their community.

**IN RECOGNITION OF THE 25TH
ANNIVERSARY YEAR OF THE
COMMUNITY ACTION AGEN-
CIES AND THEIR CONTINUING
WAR ON POVERTY**

HON. NICK JOE RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. RAHALL. Mr. Speaker, some 25 years ago this year, President Lyndon Johnson began his war on poverty. One of the first programs to be established by the Congress under his leadership was the Office of Economic Opportunity in 1964, and from that sprung what were known then and which continue to be known as community action agencies. In States and localities, they are known simply as CAA's or CAP's.

In his 1964 budget message to the Congress, President Johnson said, in regard to them:

Poverty stems from no one source, but reflects a multitude of causes. Correspondingly, a number of individual programs have been developed over the years to attack these individual problems of job opportunities, education and training. Other specific programs deal with the closely related areas of health, housing, welfare, and agricultural services. I propose to establish a means of bringing together these separate programs—Federal, state and local—in an effort to achieve a unified and intensified approach.

Community action agencies became the means he spoke of. CAA's could be a State, a political subdivision of a State, a combination of political subdivisions, a public agency, or a private corporation. State and political subdivisions were given the authority to designate what type of agency became the CAA. An overwhelming number of States chose to designate a new, nonprofit corporation as the CAA and today, 90 percent of the almost 940 community action agencies are private, nonprofit corporations.

Stipulations in law and regulation ensured that CAA's would carry out the community action concepts, which were:

That the CAA be located in the community it serves;

That its control be local and its board of directors be composed of one-third public officials; one-third private members; and one-third representative of the poor in the area served by the CAA. Private members included representatives of business, industry, labor, religious, welfare, education, or other major groups and interests in the local community.

That the CAA develop and implement an outreach capacity to locate the poor of their community, assess their needs, and deliver services to them, if necessary;

That the CAA, in some measure, employ low-income people on its staff; and

That CAA administer numerous Federal Government, State, and local government programs as well as projects funded through private sources. These programs are generally operated at no cost to the program.

In 1964, CAA's received their grants from the Office of Economic Opportunity and starting in 1975 from the Federal Community Serv-

ices Administration; beginning in 1982, from the Community Services block grants [CSBG]. Since 1982, no less than 90 percent of the CSBG moneys have gone to CAA's and migrants and seasonal farmworkers organizations.

Twenty years ago, the participation of the poor in the decisionmaking about the programs that were to affect them seemed almost revolutionary. It is that participation of the community at large which has built up the credibility of the CAA within its locality. CAA's are often the sole organization in a community that can effectively respond to the specialized needs of populations such as the handicapped, minorities, refugees, and Native Americans. This is because CAA's are located in the communities they serve, and directors and staff are well known to low-income citizens in those communities. CAA's offer a comprehensive array of services and are often the best provider of immediate aid in the face of a crisis and for long-term assistance when changes in the poverty population occur.

In times of economic downturns for whole segments of populations, such as after mass flooding or hurricane destruction of property, or other personal catastrophes such as the burning of one's home, CAA's are usually the first on the scene with assistance for immediate needs, and are later the conduits for public and private relief services. This is true also when a community receives a sudden influx of refugees, when fuel prices soar, or unemployment increases due to plant or mine shutdowns.

For 25 years our people have enjoyed and benefited greatly from Community Action Agencies—the only network of local organizations nationwide that are specifically mandated, and whose experience is extensive, to serve low-income people. Even the Bureau of the Census has recognized their abilities by using them extensively during the last national census to inform the poor that they could answer questions without being threatened in order to obtain the necessary information from the low income.

Most important, Mr. Speaker, Community Action Agencies are cost effective. Ninety cents of each dollar received by CAA's is spent in direct services or payment to program recipients. CAA's also contribute or share their administrative resources and capabilities in operating such programs as Head Start, Low-Income Energy and Weatherization, Meals on Wheels, and others.

CAA's provide space, facilities, utilities, supplies, materials, equipment, and maintenance to support these programs. The result is that CAA's cut costs substantially for many programs.

Interestingly, no two CAA's are alike—because they develop locally or administer programs for other diverse entities in response to local need. No complete listing of Community Action programs is possible, but some of the general areas in which they work and the low-income populations they serve are:

Program areas include employment and training, emergency services, food distribution, shelter for homeless, energy needs, information and referral, transportation, housing, Head Start/day care, adult education, economic development, nutrition, health services, recrea-

tion, antidrug abuse, prisoner rehabilitation, and welfare.

Populations served include general, low income, female, heads of household, elderly, children and youth, refugees, minorities, the handicapped and otherwise developmentally disabled, victims of crime, and the recently unemployed.

BACKGROUND AND UPDATE ON COMMUNITY ACTION AGENCIES

The Economic Opportunity Act of 1964 set up the Office of Economic Opportunity as a single Federal focal point for the War on Poverty. Within OEO, numerous antipoverty programs were developed and tested and, if considered successful, spun off to other Federal agencies for full-scale operation. Among them are; Head Start, Low-income Energy Assistance, Weatherization, Job Corps, and Legal Services.

The cornerstone of OEO's antipoverty activities was the Community Action Program, which gave basic seed grants to local, private nonprofit, or public organizations designated as the official antipoverty agency for a community. They received funds from OEO for administration and to operate programs, but they also received grants from other Federal, State, and local agencies to operate a wide variety of antipoverty activities. CAA's were directed to offer services and activities "having a measurable and potentially major" impact on the causes of poverty.

The OEO was succeeded by the Community Services Administration, through which CAA's received funding through fiscal year 1981. In that year, there were more than 900 CAA's nationwide. The Community Action Program was funded in fiscal year 1981 at about \$394 million, of a total appropriation for CSA of \$526.4 million. Other programs funded by CSA that year included small, special purpose programs, such as senior opportunities and services, community food and nutrition, community economic development, national youth sports, and summer youth recreation.

THE CREATION OF THE COMMUNITY SERVICES BLOCK GRANT

When President Reagan came into office and presented his budget and policy agenda, he proposed the complete dismantling of CSA and the consolidation of its activities with 11 other social services programs, into a single social services block grant to States. Among the programs he would have included in this block grant, in addition to CAA's, were title XX of the Social Security Act, child welfare services, foster care, adoption assistance, child abuse, runaway youth, developmental disabilities, and rehabilitation services. The administration proposed to fund this massive block grant in fiscal year 1982 at about 75 percent of the 12 programs' combined spending levels in fiscal year 1981.

Congress rejected most of the administration's proposal, preferring to maintain a separate antipoverty program with the Federal Government and to consolidate fewer programs. The Community Services Administration was abolished as a separate agency but replaced with a new Community Services Block Grant Program to be administered by the Department of HHS.

As part of the Omnibus Budget Reconciliation in 1981, the CSA was dismantled, and the

block grant took effect on October 1 of that year. Appropriations for the new block grant in fiscal year 1982 were \$348 million, which amounted to a reduction of about 30 percent from previous year's funding.

The CSBG Act established a new Office of Community Services [OCS] within HHS to administer the block grant. Under the act, the CAA's responsibility remained the same—"to use block grant funds for services and activities having measurable and potentially major impact" on poverty in the community—as originally required under the old OEO—to promote self-sufficiency for low-income individuals, to provide emergency food and nutrition services, to coordinate public and private social services programs, and to encourage the use of private sector entities in antipoverty activities.

Creation of the block grant was the first time the States had had the option of administering the Community Action programs, and those who did opt to operate them, were required to use at least 90 percent of their allotments to fund existing CAA's, and other former CSA grantees. That was true in fiscal year 1982, but in fiscal year 1983 and in subsequent years, the legislation allowed States to fund antipoverty programs administered through local governments or nonprofit community groups of their own choice, although the act intended that CAA's be given priority. And despite the language in the Reconciliation Act, States are still subject to the 90-percent passthrough requirement.

In fiscal year 1984, Reagan proposed the termination of CSBG entirely, but Congress again rejected this proposal.

In fiscal year 1985, Reagan again proposed terminating the CSBG, requesting only \$2.9 million for activities necessary to close down the program. His proposal was again rejected.

CSBG has strong bipartisan support in Congress. In fiscal year 1983, the National Governor's Association conducted a survey, which found that 91.6 percent of CSBG funds were obligated to eligible entities, that is, Community Action agencies; 39 States chose to fund discretionary projects, 4 States transformed CSBG funds to low-income energy assistance, and 1 State transferred its funds to Head Start.

Regardless of size, the fact is that CAA's each has a process in place to assess needs and establish new priorities as needed, and this has made them resilient, adaptable, responsive, and relevant throughout the 25 years they have been in existence, always in the face of changing economic conditions, changing resources to deal with the causes and conditions of poverty, and a changing poverty population.

HARD TIMES

Throughout their existence, Community Action Agency programs have been subjected to efforts by various administrations to get rid of them. For example, in 1973 the White House announced it would discontinue Federal funding for CAA programs, and dissolve the Office of Economic Opportunity.

There would be no budget for the U.S. Office of Economic Opportunity, President Nixon announced, beginning on July 1, 1973. Within a few days, Nixon named Howard Phil-

lips, an avowed enemy of OEO, to take over and begin phasing it out. Within 3 months, Howard Phillips was out of a job. He had been removed by Judge William B. Jones of the Federal district court, in response to a lawsuit filed by the OEO employees. The judge upheld the claim that the OEO was an agency established by Congress, and determined that Nixon's plan to phase out the OEO before its authority expired 2 years hence—1975—was illegal.

Under threat of extinction, CAA groups looked to their cities, counties, and States for financial support. Hard pressed to meet current commitments in a time of rising costs and lagging revenues, Governors and mayors passed the word to Congress that they wanted the poverty programs to continue.

Inflation surged, further straining State and local governments' revenues; the economy began its downturn; support for the poverty programs grew. Unprecedented scarcities of gasoline whose taxes are a major source of local revenue, added to the push for Federal funding of the CAA's. The subsequent events of inflation, recession, and energy scarcity solidified the reversal of the attempts to abolish OEO.

It soon became clear that Congress had the desire, and the need, to protect their 10-year investment in the CAA's, and the combined efforts of at least three Federal agencies. This was done by documenting to States and local governments the accomplishments and potentialities of CAA's and by taking administrative steps to facilitate local efforts to continue the agencies.

Mr. Speaker, I am pleased to be able to rise in tribute to the Community Action Agencies who were born during Lyndon Johnson's War on Poverty as the most effective arm of the Office of Economic Opportunity.

I believe that no Federal program, with the exception of the long-gone and sorely missed Revenue Sharing Program, has given greater control to communities to determine and then to meet their local needs. And no program has been as comprehensive, responsive, innovative, and successful in meeting the needs of low-income citizens.

I want to wish a very happy 25th birthday to Community Action Agencies everywhere, and particularly in my own great State of West Virginia, and to wish them well in the future, as they continue to address the needs of people wherever there is poverty to overcome.

IN SUPPORT OF ISRAEL'S PEACE INITIATIVE

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. GILMAN. Mr. Speaker, I rise in strong support of the Government of Israel's initiative to bring a full and lasting peace to the Middle East. During Prime Minister Shamir's recent visit to the United States, he articulated a plan designed to terminate the state of war which exists between Israel and the Arab States, to resolve the problems of the residents of the refugee camps in Judea, Samaria, and the

Gaza district, as well as to create an effective and lasting peace with Jordan.

This is an ambitious plan, but it is one which clearly embodies the Israeli commitment to freedom and the pursuit of democratic values. Israel yearns for a permanent and lasting peace. The Government and people of Israel realize that there is only one path to peace: Direct bilateral negotiations between all parties; regional cooperation among neighboring states and a cessation of hostilities toward Israel in all international forums is essential if true peace is to be achieved.

In order to advance the peace process, Israel has called for free and democratic elections among the Palestinian Arab inhabitants of Judea, Samaria, and the Gaza district in an atmosphere devoid of violence, threats, and terror. These elections will form the basis for further negotiation toward a permanent solution, during which all proposed options will be examined, and peace between Israel and Jordan will be achieved.

Mr. Speaker, as ranking minority member of the Subcommittee on Europe and the Middle East, I invite my colleagues to applaud this important initiative. Israel has always been a bastion of stability and democracy in the Middle East, as well as our most resolute ally in the region.

DRUG TREATMENT AND CRIME REDUCTION ACT OF 1989

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. STARK. Mr. Speaker, we continue to lose ground in our "war on drugs." We can help turn the tide with imaginative, innovative attacks on the demand side of the battlefield. To that end, Mr. STAGGERS, Mrs. UNSOELD, Dr. McDERMOTT, and I are introducing today a bill which:

First, establishes a minimum of 10 comprehensive demonstration programs for the treatment of drug and alcohol abuse [CDAAT];

Second, provides for treatment of substance abuse as our first line of defense against the drug problem;

Third, accepts that different severities and conditions of addiction will require different treatment modalities;

Fourth, initiates the concept of triage and case management, key elements in the assurance of proper treatment referral and compliance;

Fifth, mandates evaluation of the clinical effectiveness and cost effectiveness of various treatment modalities and providers, and termination of ineffective programs;

Sixth, requires copayment by patients, but does not deny treatment to the needy;

Seventh, mandates the development and implementation of an effective prospective payment system to control costs and ensure the most effective treatment of addiction;

Eighth, finances the program through the establishment of a treatment trust fund financed by a 1.4-percent increase in excise taxes on alcoholic beverages and tobacco products;

Ninth, requires each CDAAT Program to be of sufficient size—expected annual census: 1,500 to 3,000 per program—that the widest possible range of therapeutic modalities can be offered to patients; and

Tenth, encourages a broad socioeconomic case mix, but mandates that a minimum of 50 percent of a CDAAT Program's patients will be from the ranks of the working poor and the unemployed.

Treatment provided by this bill will result in a substantial decrease in drug-related crime and its attendant social and financial burden on our people. Finally, this bill will strike at the major route for the spread of the AIDS virus into the general population.

Late in the 100th Congress I introduced H.R. 5545, the forerunner of this bill, and requested my colleagues' assessment and input. The response has been most gratifying; we have consulted with over 200 experts in the addiction treatment field, including governmental—Federal and State, national organizations, and addiction therapy practitioners. The result of this extensive input is, I believe, a significantly better bill.

Last year's bill, H.R. 5545, we found, was too sweeping. It would have poured billions of dollars into a system unprepared to handle it efficiently: There is too little practical, nitty-gritty knowledge as to what works; the infrastructure is organized to address narrow segments of the drug problem—examples of a comprehensive approach are vanishingly rare; addiction treatment expenditure data from the 50 States are so varied as to limit sharply their value in planning a rational nationwide approach.

Since this introduction of last year's bill, things have not improved. Clearly, our present policies are not working; new, effective approaches are urgently needed. Drug use continues to increase in the young, the elderly, the disadvantaged. Increasingly, babies are born addicted to heroin and to cocaine. Drug dependency is exploding in the educated professional groups we look to for our society's integrity; lawyers, physicians, governmental officials. Our headlines scream: "Suburban Drug Users Middle Class"; "Doctor Faces Drug, Gun Charges"; "Lawyers on Drugs Create Problem Fraught With Legal, Moral Questions"; "Children Tangled in Drug Net." These reports come not just from the major cities, but also from the farmlands of Iowa, from the high mountain country of Colorado, and from rural West Virginia. The Nation's Capital saw, in just the past year, cocaine related hospital emergency admissions rise over 100 percent, PCP admissions more than double, and heroin admissions increase by one-third.

Nationwide, our current drug law enforcement policy is a lottery: Less than 3 percent of the 30 million regular illicit drug users, or 750,000 individuals per year, are arrested for drug violations. Just to maintain the status quo will soon require the doubling, then tripling of Federal law enforcement funds. Fifty thousand additional State prison spaces each year will be required if detention rates continue on their present upward course. The costs of continuing this escalation are staggering. Even though we are spending over 75 percent of our war on drug funding on law enforce-

ment, it is now clear that we'll never be able to afford to prosecute our way out of the drug problem. Currently, the purely financial cost of drug abuse—in terms of providing health care, reduced productivity, law enforcement, plus theft and destruction of property—is estimated at \$60 billion—annually.

Meanwhile, only 1 of every 30 people in need of treatment is able to receive it at any given time. Typically, we ask those desperate to get off drugs to wait 6 to 18 months for needed treatment. Addicts desperate for treatment have resorted to criminal activity such as throwing stones through windows, or attempting suicide, in order to get their name higher on the waiting list. Directors of State drug abuse programs plead for increased treatment capacity. All this is in the face of data which show a \$3 return for every dollar spent on treatment.

Drug dependency is a chronic condition, much like chronic heart or kidney disease. We must begin to respond to it as a medical problem, to recognize that quick cures do not happen, that long-term programs for prevention of relapse are essential. We waste our money when we moralistically restrict the proper medical decisions as to effective therapy. Patients who have been free of illicit drugs for 2 or more years on methadone maintenance have been forced—by law—out of these programs. Many of these, not unexpectedly, have become ensnared by illicit drugs and have returned to intravenous drug usage.

AIDS brings an even greater urgency to the drug problem. Three-quarters of all heterosexually transmitted AIDS comes from contact with intravenous drug users. Moreover, by 1991 there will be 20,000 infants and children with AIDS; the overwhelming majority of these will be due to intravenous drug using parents. This is AIDS' major gateway to the population at large, and urgent, effective action is essential.

The bill I am introducing rests on the well-founded concept that drug dependency is a chronic relapsing disease for which initial therapy must be followed by a prolonged, but less intensive, period of prevention of relapse—perhaps lifelong. This concept is sound, medically and psychologically. Moreover, it fits well the observations of law enforcement experts, who see recidivism as the usual outcome of programs which provide acute initial treatment only. But the recognition of a long-term health problem demands that we find a long-term solution. We have to realize that the "war on drugs" is not a lightning 6 day war such as Israel's victory over Egypt—it is more like World War II—and so far it has been one long Pearl Harbor.

This bill allows entry into a treatment program only after the formal assessment of the individual's severity of addiction. Such assessment is to be accomplished with a tried and proven instrument such as the addiction severity index—ASI; as cited in NIDA Second Triennial Report, 1987. With proper triage, the most clinically effective, most cost-effective treatment will be selected for each individual. Costly, ineffective treatments will not be reimbursable. A valid triage method is essential, because the methods and cost of treating a cocaine addict who is a graduate of an Ivy

League school holding a highly paid job with a supportive family, are far different from the methods and cost of treatment of a 16-year-old inner-city minority juvenile delinquent who has dropped out of school and has no family.

Because we require a well-stratified entry into the treatment programs, this bill will result in the production of much needed data on the effectiveness of various therapeutic modalities. Selected data will be reported to the Department of Health and Human Services on a quarterly basis. The required information will be carefully defined so as to show the effectiveness of the program and areas needing improvement. Data will be collected on a number of applicants, time between application and start of individual therapy, severity of addiction profile, treatment regimen prescribed, compliance, duration of therapy, maintenance or secondary preventive regimen, outcome at defined times—1 to 5 years, for example. These data will form the backbone of an evaluative process which will be independent of the treatment providers, thus allowing objectivity.

Working with this practical data base, and taking into account other clinical and research information, the DHHS will periodically re-evaluate the appropriateness of therapy regimens being funded, thus enhancing the cost-effectiveness of the approach. Moreover, the success and compliance of specific providers can be monitored, allowing timely program adjustments. Thus, this bill will accelerate the process of filling the knowledge gaps in the therapeutic matrix of treatment method versus drug of dependency, stratified by severity of addiction. In other words, we can find out what works best for a crack addict who has no job and family support, versus what works best for an upper-income weekend heroin chipper with family and job.

Funding will be accomplished by a very small increase in the existing excise taxes on alcoholic beverage and tobacco products. The revenue raised, approximately \$150,000,000, will allow fully adequate funding of at least 10 geographically and demographically diverse comprehensive addiction treatment programs, which will go far toward correcting the dismal state of our knowledge about what works in drug treatment.

The payoff for Americans in decreased human suffering and criminal activity is well worth the cost. Indeed, data from the Department of Health and Human Services, from the U.S. Customs Service, and from private industry's employee assistance programs, indicate that a net financial gain may be expected from increased expenditures for treatment and prevention.

In summary, emphasis on the criminal justice approach to the control of drugs in the United States is, by itself, inadequate. This bill's treatment-based approach is a complement to law enforcement, not a replacement. The programs will provide the methodology for establishing and monitoring treatment so that only effective therapeutic programs are paid for. This information will prove invaluable in planning future prudent expenditures of large-scale drug treatment programs. The bill insists that the drug abuser pay as he is able, but does not deny therapy to the poor. This bill will reduce the cost of dealing with the

drug problem; drug-related crime will decrease; the spread of AIDS will be stemmed.

The time is ripe for mounting this tightly controlled, comprehensive approach to dealing with the demand side of our conflict.

MIAMI CORAL PARK SENIOR HIGH SCHOOL—A WINNER

HON. LAWRENCE J. SMITH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. SMITH of Florida. Mr. Speaker, I am proud to announce that the Miami Coral Park Senior High School recently won the National Bicentennial Competition on the Constitution and Bill of Rights for the 16th Congressional District of Florida.

In its second year of implementation, the National Bicentennial Competition on the Constitution and Bill of Rights attracted an estimated 595,350 high school students to participate in what is considered to be one of the most extensive educational programs of its kind in the Nation. The program features an extensive 6-week curriculum which provides a basic knowledge of topics including political philosophy, history and experience, the Constitution, establishment of the government, fundamental rights, and responsibilities of the citizen. The 6-week program culminates in a mock congressional hearing competition in which students have the opportunity to demonstrate their knowledge of these subjects.

I would like to commend Miami Coral Park Senior High School for their diligence and commitment to excellence in the Constitution and Bill of Rights. It is equally important to praise the teachers whose dedication is vital to the promotion of education. It is under the guidance of these devoted teachers that students attain academic excellence and earn the right to participate in programs such as the National Bicentennial Competition on the Constitution and Bill of Rights.

Competitions such as this represent the new wave of patriotism emerging among our youth while helping to promote a deeper understanding and love of our country. I applaud this trend and encourage our youth to pursue it.

I urge my colleagues to support the National Bicentennial Competition on the Constitution and the Bill of Rights in their own States, and to encourage student participation in future competitions.

Again, my congratulations to Miami Coral Park High School, principal Carnell A. White, teacher Lisa Lens-De Yarza, and the following students:

Diana Mario Carballosa, Geraldo Delgado, Dalia Gonzalez, James J. Misrahi, Martha Raviroso, Monica Lucia Roca, Juan Jose Sanmiguel, Jacqueline Carranza, Raquel Espinel, Roberta Martinez, Ravin Nawalrai, Carmen Regalado, Orlando Trujillo, David Valencia, Rocio Davis, Jesus Lovo, Alba Macias, Maria Quant, Ivonne Sanchez, Patricia Wong, and Yuan Yin Yen.

NATIONAL ASTHMA AND ALLERGY AWARENESS MONTH

HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. FAZIO. Mr. Speaker, I rise today in recognition of "National Asthma and Allergy Awareness Month." Today, over 35 million American children and adults suffer from a group of diseases often presented to the public as trivial but, in reality, painful, disruptive, costly, and sometimes deadly. As a sufferer of asthma, I know firsthand the consequences of these diseases. One of our late Members, Representative George O'Brien of Illinois, clearly recognized this fairly invisible health problem and saw that Federal support for medical-scientific research into the causes of asthma and allergic diseases was sufficient and sufficiently diverse.

George also recognized how important it is to encourage well-based information and education about asthma and allergic diseases, so prone to unproved cures by some. As one form of this recognition, he encouraged the House to proclaim 1 month each year as "National Asthma and Allergy Awareness Month."

The sponsoring voluntary health organization of the national awareness month is the Asthma and Allergy Foundation of America. I wish to acknowledge May as this year's time—weatherwise and otherwise—to call on our public to pay heed to the problems of and prospects for those with asthma and allergic diseases; and the sizable human and social costs awaiting our concern and help.

MIT STUDY CRITICIZES BOSTON HARBOR CLEANUP

HON. BRIAN J. DONNELLY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. DONNELLY. Mr. Speaker, the Massachusetts Institute of Technology, which is considered one of the best and credible institutions of higher learning in the study of the sciences, has released a detailed report that clearly outlines the ongoing Boston Harbor cleanup as one of the biggest bureaucratic ripoffs the taxpayers of Massachusetts have ever seen.

The study, conducted by Prof. Donald R.F. Harleman of MIT, which will be published in the next issue of the Journal of the Boston Society of Civil Engineers, presents an objective review of the cleanup and makes sound suggestions—which differ overwhelmingly from the present Environmental Protection Agency mandates and the court-ordered schedule for construction of a secondary sewage treatment plant on Deer Island.

The centerpiece of the study suggests that the cleanup efforts be directed away from the secondary treatment plant in favor of facilities that control the combined sewer overflows.

For the over 2.5 million Massachusetts residents who will foot the bill for the Deer Island plant, this commonsense study—which the

EPA has tagged as "unscientific"—shows that the water in Boston Harbor will not improve significantly. The study concludes that "It will come as a rude shock to ratepayers that the \$6 billion plan, when completed, will not make Boston Harbor fishable or swimmable."

I include the study written by Dr. Harleman of MIT at this point in the body of the RECORD.

BOSTON HARBOR CLEANUP: USE OR ABUSE OF REGULATORY AUTHORITY?

(By Donald R.F. Harleman)

Boston Harbor is frequently described as the "dirtiest" in the country. During the presidential campaign the Harbor was the subject of heated, if not enlightened, debate on whether its condition and the delay in cleaning it up was the fault of federal or state and local government. Regardless of who is at fault, the public has been led to believe that a logical set of plans and priorities for the cleanup of Boston Harbor is finally in place. The present court-ordered schedule calls for the construction of a new primary treatment plant, interim sludge disposal facilities and a nine-mile ocean outfall by 1995. Additional treatment in a secondary stage as well as facilities for the land disposal of all sludge is required by 1999. The estimated cost of the new facilities is 6.1 billion dollars. Boston area residents will pay the highest water and sewer rates in the nation largely because EPA's construction grant program, which previously would have paid 75 percent or more of the cost, has now been phased out of the federal budget.

Do the present court-ordered facilities and the schedule for the cleanup represent an environmentally sound solution for Boston Harbor? The answer is no. To understand the reasons, it is necessary to go back to the passage of the federal Clean Water Act of 1972, and beyond that to the evolution of the harbor pollution problem and the non-federal plans to remedy it.

1972 CLEAN WATER ACT

The Clean Water Act of 1972 required all publicly-owned treatment plants, without regard to the nature or location of the water into which they discharge, to achieve secondary treatment by 1977. EPA defined treatment in terms of the amount by which two quantities, biochemical oxygen demand (BOD) and suspended solids, are reduced in the treatment plant effluent. BOD is of concern because it tends to reduced dissolved oxygen levels in the receiving water. The severity of the depletion depends on a replenishment process, known as reaeration, in which oxygen is transferred from the air through the water surface. If the treatment plant effluent is discharged to a fresh water stream, the dissolved oxygen may drop to a level that is harmful to aquatic life because reaeration is limited by small water surface areas. In such cases high levels of BOD removal are desirable. In the ocean, water surface areas are large and oxygen is replenished readily, hence BOD removal is less critical. Suspended solids are of concern because their removal in the treatment process improves clarity and reduces formation of bottom deposits in the receiving water. In addition, hazardous and toxic substances tend to be absorbed onto suspended solids.

A primary plant, the first stage of any treatment system, removes about 40 percent of the incoming BOD and 60 percent of the suspended solids in a series of sedimentation tanks. The secondary treatment stage is a biological process which provides additional

treatment to the effluent of the primary plant with the result that the overall removals of BOD and suspended solids are increased to about 85 percent. The additional removal of BOD in the secondary stage is accomplished by adding oxygen to treatment tanks to speed the growth of bacteria that feed on, and oxidize dissolved organic, oxygen demanding material in the wastewater. The bacteria, which continually grow and die, and other suspended solids settle out in secondary sedimentation tanks.

Sediment residue from the primary and secondary treatment stages is called sludge. The sludge contains everything that has been removed from the raw wastewater as well as new biomass generated in secondary treatment. Consequently, the amount of sludge produced by the combined primary-secondary stages is about twice as much as is produced by the primary stage alone. Current regulations prohibit the ocean disposal of sludge.

Soon after the 1972 act was passed, many municipalities argued to Congress and EPA that secondary treatment was not universally necessary for protection of the coastal marine environment. They contended that large reductions in BOD, while important for inland freshwater streams and lakes, were of little benefit to the coastal ocean where treatment plant effluents are mixed and dispersed by tidal currents and aerated by large water surface areas. They also pointed out that long outfall pipes could reach coastal areas of significant depth and tidal flushing action. Furthermore multi-port diffusers, thousands of meters in length, could be attached to the outfalls to reduce the concentration of treated effluents by more than a hundredfold through jet mixing. A number of Pacific coast communities that had been discharging primary effluent through ocean outfalls had accumulated evidence to demonstrate the scientific merit of their claims for exemption from secondary treatment requirement. Congress was persuaded and, in special provisions of the 1977 Clean Water Act, Section 301(h), directed EPA to allow municipal marine dischargers to test their case in the administrative process.

BOSTON HARBOR POLLUTION BACKGROUND

Boston began discharging untreated waste into the harbor more than a hundred years ago. It was not until 1968 that all dry weather sewage began receiving primary treatment at Nut and Deer Islands. However, that treatment has been essentially negated by the fact that the primary effluent and the sludge is discharged, after some digestion and chlorination, through short pipes near the entrance to the harbor. Although, sludge discharge is supposed to occur mainly during the outgoing tide, much of Boston's present problem is due to this long-banned but continuing practice.

The first serious water quality study of Boston Harbor was completed in the late 1960s. The findings were that primary treatment was satisfactory, disposal of sludge to the harbor should be stopped and the major problem for the harbor was combined sewer overflows. These overflows, from about 90 sources on the perimeter of the harbor, result from the collection of storm water and sewage in the same pipes throughout much of the older inner city area. Raw sewage is discharged from these sources during wet weather about 60 times a year when the treatment plant capacity is exceeded. It is generally agreed that combined sewer overflows are responsible for the fre-

quent closing of shellfishing and bathing areas within the harbor.

The only positive thing to be said about the water quality situation in Boston Harbor is that the depletion of dissolved oxygen has never been a problem, except near the shoreline. It was therefore natural that the Metropolitan District Commission (MDC), the responsible state agency, should apply for a waiver of the secondary treatment requirement so that it could focus cleanup efforts on stopping sludge discharges and combined sewer overflows.

THE WAIVER PROCESS

In response to the 1977 Congressional directive, EPA published preliminary criteria and procedures in spring 1978 and final guidelines in summer 1979 by which municipalities could apply for waivers of the secondary treatment requirement for discharges into coastal waters. Boston's application was one of 70 filed prior to the 1980 deadline. Subsequently the deadline was extended to the end of 1982 and 137 additional applications were filed. An EPA bias against the waiver procedure, in favor of the more easily enforceable uniform secondary treatment, was suspect from the beginning. Their guidelines stated that applicants "will bear a particularly heavy burden in demonstrating to EPA that such (less-than-secondary) treatment is sufficient to protect marine waters."

In addition, EPA, contradicting accepted principles of environmental impact analysis, refused to allow applicants to compare the environmental impacts of less-than-secondary and secondary effluents through the same outfall. That incremental benefits of secondary treatment might be negligible or unjustifiably costly was of no interest to EPA.

BOSTON'S WAIVER PLAN

In 1967, well before the major federal water acts, Boston's MDC had concluded that the benefits of secondary treatment were minimal and proposed a three-part plan: an ocean outfall 7 miles offshore of Deer Island for the discharge of primary treatment effluent, the cessation of ocean sludge discharge and combined sewer overflow controls. In 1976, in the process of setting priorities, MDC determined that providing secondary treatment ranked 40th in a list of about 50 projects that would be required to improve Boston harbor.

These earlier studies became the basis for the waiver application to EPA in the fall of 1979. MDC proposed upgrading the existing primary treatment plants, which were severely deteriorated, and constructing a combined ocean outfall and multi-port diffuser with a total length of 9 miles terminating in water more than 100 feet in depth. Boston was required to demonstrate that the waiver plan would meet state water quality standards for marine waters. The major standard was that dissolved oxygen not fall below 6 parts per million (ppm), about 80 percent of its saturation value under summer temperature conditions.

The estimated cost of the proposed facilities including sludge disposal on land was 480 million in 1979 dollars, about half of this was the cost of the 9-mile ocean outfall and diffuser. At that time EPA was funding 75 percent of capital costs. MDC settled back to await EPA's verdict having no inkling that a decision on the waiver would drag on for the next five-and-one-half years.

EPA'S RESPONSE

EPA, overwhelmed by the mountain of waiver applications, hired a consulting firm

to assist in the review process. In mid 1981, EPA requested additional information from MDC including a sensitivity analysis of the water quality model, additional sampling and assessments of sediment deposition and resuspension. MDC responded in the fall of 1982 with new monitoring data and the analyses requested.

In the summer of 1983, EPA issued a tentative denial of Boston's waiver. The denial focused on potential violations of the state dissolved oxygen standard and excessive solids deposition; however, EPA left the door open by stipulating that MDC could submit a revised application by July 1984. There was a significant amount of interaction between MDC and EPA on the nature of new information to be submitted. The revised application was submitted and six months later EPA's consultant issued its technical review.

One point of contention between MDC and EPA's consultant was the proper value of the background or ambient dissolved oxygen in the vicinity of the 9-mile outfall. MDC said 7.4 ppm was reasonable for late summer conditions when dissolved oxygen was observed to be at its minimum. The consultant recommended a more stringent value of 6.5 ppm, recalculated dissolved oxygen impacts in four separate analyses and concluded that "the Massachusetts dissolved oxygen standard will be met." MDC assumed that the major issue had been resolved and awaited its waiver. Its optimism was short-lived because in March 1985, the EPA regional administrator issued a "tentative decision" that the revised waiver application be denied.

EPA's denial was based on seven findings. Six were non-quantitative or procedural in nature such as deficiencies in the monitoring program to assess future impacts and future source control programs to reduce toxics. The single quantitative finding reversed the conclusion of EPA's consultant in one of the four impact analyses carried out to check the state's 6.0 ppm dissolved oxygen standard. This analysis involved the calculation of a dissolved oxygen change due to the resuspension in a storm event of organic particles deposited on the bottom after 90 days of uninterrupted deposition. EPA calculated a dissolved oxygen concentration of 5.5 ppm (a violation of 0.5 ppm) by means of two "adjustments." The first involved an arbitrary one-third increase in the rate of organic sediment accumulation in the vicinity of the outfall diffuser. The second and more serious adjustment reduced the ambient dissolved oxygen concentration for the resuspension event from 6.5 to 6.1 ppm, a value only 0.1 ppm above the standard, which even the effluent from a secondary treatment plant would have violated. EPA made no effort to defend its arbitrary adjustments in this critical instance, yet proceeded to rest its case for secondary treatment on them.

There were valid reasons for challenging EPA's tentative denial, but other events had by this time removed MDC as the responsible state agency.

NEW AGENCY, NEW PLANS

Early in 1983 the city of Quincy, on the southern portion of Boston Harbor, sued MDC for polluting its beaches. The case was heard by State Supreme Court Judge Paul Garrity who appointed Professor Charles Haar of Harvard Law School as special master. Haar's report adopted by the Court in the fall of 1983 included (1) a strict timetable for stipulated remediation measures, which, incidentally did not include second-

ary treatment, and (2) recommended the creation of a new state agency with the power to issue bonds outside the control of the State legislature.

Following a year of MDC failure to meet Haar's schedule, Judge Garrity threatened to stop sewer connections for new buildings in Boston. In the last hours of 1984, the legislature created the Massachusetts Water Resources Authority (MWRA) and gave it bonding authority. In January 1985 EPA sued MWRA in Federal District Court for polluting the harbor. Under threat of a huge retroactive fine, MWRA has been operating under a 1986 federal court-ordered planning and construction schedule designed to carry out EPA's insistence on full secondary treatment by 1990. MWRA made the judgment that any attempt to reopen the waiver was doomed to failure.

It is easy to look back over the past ten years and to say what should have been done. The existing primary treatment plants are beyond rehabilitation and, in fact, never performed satisfactorily. Design and construction of new state-of-the-art primary plants and land-based facilities for the disposal of the primary sludge should have begun in 1979. No one ever questioned the need or priorities for these facilities regardless of the waiver decision. Work would have begun in 1979 but for the fact that EPA would not approve an application for a federal grant while a ruling on the waiver application was pending.

In retrospect, the most serious flaw in the waiver process was EPA's refusal to consider a comparison of the environmental impacts of primary treatment effluents and secondary treatment effluents through the same outfall. As a result the incremental environmental benefits of secondary treatment for the harbor were never balanced against the negative environmental impacts of disposing of twice as much sludge on land or by incineration in the air. Through a fortuitous set of circumstances in the spring of 1988, the data necessary for such a comparison became available.

In March 1988, MWRA published a comprehensive primary and secondary treatment facilities plan, and a few weeks later EPA issued a draft Environmental Impact Statement for Boston Harbor based on this plan. The astonishing thing about the 1988 facilities plan is that the length of the outfall and diffuser, about nine miles, is the same as in the 1979 waiver. So it is now planned to discharge secondary effluent at essentially the same location as was originally suggested for the primary effluent. This is the longest outfall and diffuser ever designed specifically for secondary treatment effluent.

According to the court-ordered schedule, the new primary plant and the outfall and diffuser are to be completed by 1995 and the secondary treatment stage by 1999. Because of the five-year construction lag, MWRA and EPA were required to predict water quality conditions for primary as well as primary plus secondary effluents. Separate consulting firms were employed to carry out the technical analyses for the two agencies.

The MWRA facilities report provides a detailed analysis of all state and federal water quality criteria for conventional as well as hazardous wastes. MWRA concluded that standards, including dissolved oxygen, would be met by the primary effluent and that in general "secondary treatment discharge impacts are not expected to be significantly different from primary impacts."

Despite these findings, MWRA again made no effort to reopen the issue of the marginal benefit of secondary treatment. When this was explicitly pointed out during the public comment period on the facilities plan, the MWRA response was "it is not necessary to justify secondary treatment in the Facilities Plan as the MWRA is mandated by Federal law and court agreements to provide this level of treatment."

EPA made separate impact analyses of the facilities plan for primary and secondary effluents through the proposed 9-mile outfall and diffuser. Non-compliance with standards were cited in three instances for primary effluent. The first was based on a predicted dissolved oxygen violation of 5.7 ppm during a 90-day sediment resuspension event. In contrast to the 1985 waiver denial based on a similar event, EPA now assumed the ambient dissolved oxygen at 6.5 mg/l, thereby backing away from its earlier indefensible ambient of 6.1 ppm. A search was made for reasons why EPA predicted a dissolved oxygen violation while MWRA's analysis of the same event did not. It was found that EPA calculated a six-fold increase compared to MWRA in the average rates of sediment deposition in the ocean area surrounding the multi-port diffuser. This was caused by EPA's determination that a small fraction of sediment in the primary effluent would be in the size range having a fall velocity of 0.1 centimeters per second. On the other hand, MWRA determined that the maximum fall velocity of sediment in the effluent would be 0.01 cm/sec. A calculation of the sediment removal capability of the new primary treatment plant indicated that all particles having a fall velocity of 0.1 cm/sec would be removed in the primary treatment process even when the primary plant was operated at its maximum capacity of 1.2 billion gallons per day, which is two and a half times its average flow rate. EPA's use of the incorrect size fraction in the effluent resulted in higher calculated rates of sediment deposition and consequently an overestimation of the dissolved oxygen depression due to resuspension.

The second point in which EPA indicated that primary effluent impacts were less satisfactory than secondary was in the areal extent of bottom sediment enrichment and toxicity. Again this was a result of overestimating sediment deposition rates.

The third point, aquatic life criteria, is based on a screening of toxic effects of more than 50 non-conventional pollutants. Of these, the only violations indicated were for mercury and three compounds (two pesticides and PCB) not presently detected in the inflow to Boston's treatment plants.

The above issues were pointed out during the public comment period and EPA's responses were given in the final environmental impact statement (FEIS) of July 1988. On the major non-compliance issue which revolves around the disagreement on sedimentation rates, EPA acknowledged that the faster settling sizes would be removed in the primary treatment process. However, EPA justified retaining the high settling rate in order to "account for potential aggregation of the effluent particles in the marine waters, which would cause the aggregate particles to fall faster."

The suspended solids concentration in the primary effluent is only about 50 ppm before undergoing a hundred-fold reduction in concentration through the multi-port diffuser. Even at the undiluted value there is no scientific basis for assuming that aggregation is effective at such low particle con-

centrations. The only evidence for aggregation in marine waters is in the discharge of sludge from outfalls where particle concentrations are more than a thousand parts per million.

EPA summed up the level of treatment issue in its FEIS "Some commentators questioned the need for secondary treatment, particularly for a discharge as far off-shore and as deep as the outfall location recommended. The suggestion was made that EPA was over-conservative in its analysis, and that money required to construct and operate the new secondary treatment facilities could better be used to address other pollution problems such as discharges of raw sewage from combined sewer overflows."

EPA continued by saying that because the waiver was denied and MWRA is now committed to secondary treatment "the need for secondary treatment of MWRA wastewater was not a question addressed by this FEIS, and a comparison of the impacts of primary effluent versus secondary effluent is not required." Regulatory zeal here runs counter to the spirit of environmentalism that led to the creation of EPA and to the concept of environmental impact analysis. EPA's "tentative" waiver denial of 1985 has become incontrovertible law. It is as if the Food and Drug Administration, having tentatively kept a questionable drug off the market, used that tentative denial as an excuse not to consider later evidence that the drug had over-riding beneficial effects.

PRIORITIES

Vitally important components are not included in the present federal court construction schedule for the harbor cleanup. They are the combined sewer overflow (CSO) control facilities. Preliminary plans indicate that more than 20 miles of deep-rock tunnels, 25 feet in diameter will be needed to store wet weather sewer flows so they can be fed into the treatment system in subsequent dry periods. The cost, certain to be a billion dollars or more, will ultimately be added to the 6.1 billion dollar price tag for scheduled facilities. While MWRA has accepted responsibility for the CSO problem, its placement in the construction schedule will not be resolved until after final CSO plans are submitted in mid 1990. It is very apparent that MWRA's financial and management capabilities will be stretched to the limit to complete the secondary treatment facilities plan by 1999 and that CSO construction will probably extend well into the next century. It will come as a rude shock to rate payers that the 6 billion dollar plan, when completed, will not make Boston harbor fishable or swimmable.

The cost of the secondary treatment and secondary sludge disposal facilities in the present schedule is about 2.5 billion dollars. This is a very high price to pay for the marginal environmental benefits of secondary treatment especially when the negative environmental impacts of disposing of twice as much sludge have yet to be evaluated. EPA's claimed benefits of secondary treatment relate to the removal of suspended solids rather than to the purpose for which it was designed, that is the removal of soluble organic material (BOD).

An innovative treatment process capable of levels of suspended solids removal comparable to secondary treatment but without high BOD removal and sludge production has not been considered in any of MWRA's post-waiver planning. This process, known as advanced primary treatment, consists of adding very small amounts of polymer chemicals to primary treatment tanks to

cause aggregation of particles and increased sedimentation. Los Angeles County, Orange County and the City of San Diego have successfully used advanced primary treatment for more than 10 years. Advanced primary treatment has achieved 80 percent suspended solids removal with only a 30 percent increase in sludge production over conventional primary treatment, as compared to a 100 percent increase in sludge production with secondary treatment. Orange County received a waiver of the full secondary treatment requirement from EPA in 1985. Los Angeles County's waiver application is still pending; however they are expecting a favorable decision that will allow them to continue this sensible practice. The City of San Diego waiver application has had a checkered history. It was tentatively approved in 1981; however in 1986, EPA announced a reversal of its decision with an option for the City to submit a revised application. In 1987 in response to public pressure, the City decided not to resubmit.

A logical set of priorities for Boston Harbor would follow the current schedule through the completion by 1995 of the new primary treatment plant, its sludge disposal facility and the 9-mile ocean outfall and diffuser. At that time, the cleanup effort should be directed away from secondary treatment in favor of facilities for the control of combined sewer overflow. Upon completion of the new primary plant and the ocean outfall and CSO remediation measures, an intensive monitoring program in Boston Harbor will indicate whether additional treatment is necessary. If so, the sensible step would be to implement advanced primary treatment.

Fortunately during the next six years, there is time to bring scientific and political pressure to force the priority issue through the new EPA administration and Congress. When EPA was footing three-fourths of the bill and threatening massive retroactive fines, there was little incentive to argue. Now there is every reason to insist that local funds be used to achieve an optimal environmental solution rather than one that adheres to a narrow and outmoded regulatory viewpoint.

ACKNOWLEDGMENTS

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This paper is an extension of remarks made at the 1988 BSCES Freeman Lecture Symposium on "Boston Harbor: Engineering and Technical Issues," which was held on April 7, 1988.

CUBAN INDEPENDENCE DAY

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. PEPPER. Mr. Speaker, for several years now I have commemorated Cuban Independence Day, May 20, 1902, by placing in the RECORD a statement by officers of Cuban Crusade. I again this year include the statement:

CUBAN INDEPENDENCE DAY—1989

Crusade 1989: Respectfully our message is being addressed to His Excellency, President

George Bush, Vice President Daniel Quayle, and Administration, Honorable Speaker Jim Wright, Congressmen Claude Pepper, Dante B. Fascell, and to all other members of Congress.

On this glorious day, commemorating May 20, 1902, Cuban Independence Day, a significant and important Cuban-American Liberation Victory over an oppressive foreign power, Spain. Democratic America had aided to establish a free brother nation constituting a precedent never before seen in this world. The transfer of power from a powerful nation to a fledgling weak democracy, instead of annexing it as a colony, a practice followed since the inception of written history, resulted.

In 1959, Cuba, a free, economically powerful nation, had its freedom terminated by a Communist-led revolution headed by Dr. Fidel Castro Ruz. For 30 years poverty, war, oppression and a dismal, spiritually-bankrupt leadership has been the Cuban people's life under the Russian empire's boot.

Fidel Castro's spoils of war is AIDS for millions of Cubans. When the Cuban leader first ordered an expeditionary force of 15,000 troops into Angola in 1975 to put a Marxist regime in power with the help of Soviet arms, he had no way of knowing that the rotation of 300,000 Cuban soldiers through two years of duty in Angola and Africa over a decade would eventually threaten his own population with the spread of an incurable disease.

However, in the 1984-85 period, medical evidence accumulated that AIDS originated in Central Africa and that spread over to Zaire, Angola and other African nations. Doctor Jonathan Mann, Director of the World Health Organization's Special AIDS Program points out in a recent article that in some African nations the incidence of AIDS among urban prostitutes is as high as 59%. This infected population may turn out to be a major cause of the disease amongst Cuban soldiers, in view of the fact, that the troops were not adequately warned for years.

A second tragic cause of contamination was the fact that Cuban wounded received transfusions from African Blood Banks until the middle of 1986. The evidence suggests that as much as 20% of this blood was contaminated and that one-fifth of the approximated Cuban wounded may have been infected in this manner.

It is conservatively estimated that in failing to provide preventative service to the families of returned Cuban soldiers, the Cuban leader has created a potential exposed population of one and a half million Cubans.

The present Cuban government resolution Number 575 of July 5, 1960 from the Cuban Ministry of Finance, established "The Candy Achay Obra Benefica Religiosa Social En La Sierra Maestra." It sets a unique precedent since it permitted for the first time, the teaching of religious and social work within a Communist nation. Our Sierra Maestra's program was conceived and officially sanctioned as an autonomous organization without any government control of intervention.

It allowed for the construction of (a) One three hundred bed hospital in the Sierra Maestra mountains, and (b) a vocational school teaching arts, trades, agricultural and mining techniques, etc.

It is therefore a perfect instrument in our hands with which to spearhead the process of peace and gradual normalization of relations between Americans and Cubans.

It was precisely Miss Achay's dream and prophetic desire at the time of her ill-fated, premature death. In our (Candy Achay OBRS) program, at the proper time, and AIDS Research Center and Hospital which could save millions of Cuban lives in the Sierra Maestra Mountains site originally planned would be erected.

It all began with Commandante Castro's Revolution embracing the Christian crucifix and the insidious metamorphosis that followed Castro's rise to power which marked a turning point in the traditional love-hate relationship between North and South America and amongst Latin Americans themselves.

The time is ripe for action, and not military interventionism which could turn out to be as counter-productive today as it was in the past.

It is time for action through good will and common sense. As our late leader-founder Miss Achay said: "The moment of truth is now."

Fidel Castro's Communist experiment has been a disastrous failure for the bulk of the Cuban population, when during February, 1989, an eighty-member committee composed of His Eminence John Cardinal O'Connor of the New York Archdiocese, Catholic monsignors, priests, nuns, visited Cuba with the Cuban government's approval. They found:

(1) Abject poverty conditions in all provinces that compose Cuba;

(2) Public housing is falling apart in every Cuban province, with the exception of the Showplace Housing now being constructed in Havana by a Spanish corporation to give a progress impression to tourists and foreign visitors;

(3) The Cuban public is ill-dressed. Food is scarce universally in Cuba, for the average worker and public comprising the bulk of the Cuban population. However, a flourishing black market in food is tolerated everywhere as well as for clothing and other consumer products.

In summation, the Religious Committee found in an unofficial report, that if elections were held today, Fidel Castro's government would lose by a good margin because of the above stated.

President Castro is eager to cement renewed relations with the United States now. It is apparent there is some desperation in his political position today.

Secretary General Mikhail Gorbachev's perestroika was forced upon the Russian leadership by the rapidly-growing avalanche of discontent by the Russian people and other peoples in the U.S.S.R. A very explosive condition for Communist Russia and satellites.

Today, however, the Soviet government still sustains military budgets year after year that consume incredible proportions of their gross national product. The Soviets have not reduced those budgets, nor have they attempted to reduce the high cost of empire, for example, by cutting their heavy subsidies to Cuba, Nicaragua, Vietnam, and Ethiopia. The Soviet Empire is completely cracking up at its very seams, universally, because of this high-cost empire.

To prop up the Russian global image Mikhail Gorbachev is executing a clever public relations chess game with the West. Russian troops left Afghanistan as Gorbachev surely sees it, sacrificing a pawn now could clear the way to a neutralized defenseless Europe later. West Germany appears to be the weakest link in the NATO chain, by delaying NATO's missile modernization program today.

However, all these political niceties do not alter the serf-like existence of the Russian, Cuban, Vietnamese, Ethiopian, the Eastern bloc etc. populations of the international Russian empire. This fact is the weakest link in the Socialist chain system that will crumble international and national Communism one by one. To correct this debility is not feasible under the mandates of Communist society.

America must also now weigh its options as Europe awaits the post-Communist era. Europe will become a solid block of United States of Europe, a formidable trading and financial giant. Political sensitivity and insight is needed in handling the Latin American and his problems with America. This is sorely required now to forge ahead as hemispheric brother nations marching together as true Democratic success stories into the 21st century. One powerful political and economic American hemisphere.

The time is now ripe to open up the sugar-cane curtain and obligate Cuba to make hard decisions. Cuba's proximity to the United States makes this thirty-year Cuban Communist experiment show up as a total failure. For these same bankrupt, hungry, sad refugees of the 1960's, now go home looking as prosperous as Secretary General Gorbachev. They also bring home to Cuba good quantities of dollars to spend upon their Cuban families there.

The Cuban Crusade believes placing Castro in a position of national and international scrutiny through the United States offering to lift its embargo upon Cuba, providing the present government in Cuba agrees to organize a fair Democratic plebiscite based upon the exact parameters as they concluded in Chile recently. The results there overthrew Right Dictator President Pinochet, which he accepted.

If President Castro loses said plebiscite, he must step down. If he wins, then he must accept executing all conditions contained in the embargo ending accord which he must conclude with the United States. President Castro fully realizes that once he opens up the floodgates to American tourism and culture his regime is doomed and must end by Cuban national popular demand. This is precisely Communist Castro's dilemma. For the demise of world Communism is becoming a fact today. Therefore, even if he wins said plebiscite, the accord will call for prompt national elections in Cuba.

May 20th, Cuban Independence Day, is the anniversary of American Foreign Policy principles: liberate and aid to liberate as against dominate by force and colonize practice heretofore championed by world Communism. The time has come for freedom in Eastern Europe for these soon to be liberated nations to keep them free and democratic. Gorbachev wants Russia to have a position of membership, perhaps politically of leadership in the common European home, stretching from the Volga to the Atlantic. However, favoring America and the Democratic world is the fact that Communism's failure, through that of its leader, should have forfeited any claim to Soviet partnership in a new hegemony.

Honoring our late beloved leader, Candy Achay's wishes, we have formed in exile the Christian Social Democratic Party of Cuba. In our September 6, 1985 statement we stated our goal to execute this step to advance Cuba's future.

This organization promotes its own (a) development of Cuban natural resources, (1) engineering report by Cuban and American engineers of international repute that

would supply approximately a million new jobs for Cubans through creation of hundreds of new industries; (2) a (Havana/Freeport program) to accommodate armies of tourists coming to visit Cuba on cruise liners; (3) intensify Cuban mining of copper, gold, silver, manganese etc. by exploiting its commercial deposits throughout Cuba now abandoned.

The above program via correct financial assistance available to the Cuban Crusade can enable Cuba to climb the ladder to political and economic success in the Democratic world.

The Cuban Crusade will execute everything required socially, politically, and economically inside Cuba under the new Christian Social Democratic Party of Cuba if elected. Our highest honor is to once again fly the (Candy Achay Free Democratic and Religious Flag) over the Morro Castle in Havana Bay, Cuba.

Revolution, no! Evolution, si!

1989 Cuban Independence Day is also commemorated as Latin American and World American Solidarity Day since it signifies the very first day of hemispheric and global brotherhood.

DR. JOSEPH R. JULIA,
President, Cuban Crusade-Political Committee.

FERNANDO CAMPO,
Chairman, Funding 1989.

DR. ALEJANDRO D. PANIAGUA,
Global Coordinator.

DR. JOSEPH YALI,
African Committee.

DR. JEFFERY HARTWICH,
Crusade Director, 1989.

CHRISTENING OF THE U.S.S. "RUSHMORE"

HON. LINDY (MRS. HALE) BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mrs. BOGGS. Mr. Speaker, on Saturday, May 6 a new Navy ship, the U.S.S. *Rushmore*, was christened at Avondale Shipyards in New Orleans. The *Rushmore* is a dock landing ship, a type of ship important to the Navy for its versatility and durability in the transportation and delivery of men and materials. Because these ships can ballast down to flood a well deck, it is possible to load and transport virtually any type of cargo at sea. The *Rushmore* is the seventh ship in the Whidbey Island class of LSD's.

The *Rushmore* is another example of the outstanding workmanship of the men and women who build ships at Avondale Shipyards. The Navy is certainly getting its money's worth for these ships when it comes to quality of workmanship and the ability to deliver the product on time and at the agreed upon price.

The christening of the *Rushmore* was a very special day for the people of South Dakota, the home State of the ship's namesake. Gov. George Mickelson and Senator LARRY PRESSLER participated in the ceremonies, and Meredith Brokaw launched the ship. Her husband, NBC News anchor Tom Brokaw, also spoke. Both are South Dakota natives.

Senator PRESSLER gave remarks on the naval heritage of the State of South Dakota, a subject with which some might not readily

identify. He also discussed the history of the Mt. Rushmore National Monument. I would like to submit his remarks at the christening ceremony for the RECORD.

REMARKS OF U.S. SENATOR LARRY PRESSLER

My classmates from the University of South Dakota, Tom and Meredith Brokaw; my colleagues from the U.S. House of Representatives, Congresswoman Lindy Boggs and Congressman Bob Livingston; Governor Mickelson, distinguished Navy officers, visiting dignitaries from my State of South Dakota, Avondale Industries workers, and ladies and gentlemen.

We are gathered here at this beautiful shipyard in New Orleans for the purpose of launching the U.S.S. *Rushmore*. This is a great occasion for South Dakota, the Navy, and our country.

I have been asked why so many young farm boys from South Dakota join the Navy. The answer is they don't want to have to get up until 6 in the morning!

For several years, I have worked on matters relating to the Navy. That may sound unusual for a Senator from South Dakota, but the Navy has played an important role in my State.

When I was first elected to the U.S. House of Representatives in 1975, it was my pleasure to bring the Secretary of the Navy, William Middendorf, to South Dakota. While there we visited the Navy Reserve unit in Sioux Falls which has 300 members. We also visited the museum erected in honor of the battleship, the U.S.S. *South Dakota*.

Evans Nord, who was head of the Navy League, hosted us in Sioux Falls. I might say with some pride that even though I served in the Army as a second lieutenant in Vietnam, Mr. Nord has waived the rules and I am a member of the Navy League!

During our discussions, I was alerted to the fact that South Dakota needed a ship named after it or after some appropriate historical site in our State. At that point, I began my efforts with the Navy to have a ship named either the U.S.S. *South Dakota* or the U.S.S. *Rushmore*. Two other ships named the *South Dakota* and the *Rushmore* had served with distinction in World War II, so it was appropriate to continue that legacy with the naming of new ships.

Over the years, there were a variety of discussions and many letters written to the Navy and other interested parties. Indeed, I find that I am getting old when I reviewed the people who cosigned letters or worked on this matter with me. Some of my colleagues in the Senate during this time included Jim Abourezk, George McGovern, James Abdnor, and Tom Daschle. I must be getting old if I have had four colleagues already!

In any event, we are glad that the Navy made the decision to name a ship the U.S.S. *Rushmore*. We continue to hope there is a time when another U.S.S. *South Dakota* is launched.

But, perhaps we are here for a higher purpose. There are many South Dakotans who have traveled here for this occasion. Mount Rushmore will be celebrating its golden anniversary in 1991. In 1941, the last work was done on Mount Rushmore. It was also the year Gutzon Borglum, the monument's sculptor, died.

I have worked on a variety of legislative initiatives regarding Mount Rushmore. I was successful in including an amendment in the highway bill for the widening of the road leading to Mount Rushmore. I also secured a \$350,000 appropriation for architec-

tural and engineering designs for improvements at the memorial.

Currently, I am the sponsor of the 1991 Mount Rushmore Commemorative Coin Act which calls for the minting of a series of coins commemorating Mount Rushmore's fiftieth anniversary. Part of the funds raised from the sale of the coins will go to reducing the Federal deficit, and half will go to the Mount Rushmore Society.

A few years ago, we had a meeting with leaders of the society during which we had a vision of a national fundraising effort for Mount Rushmore similar to what was done for the Statue of Liberty. I have spoken personally to Lee Iacocca about his efforts on behalf of the Statue of Liberty.

The Mount Rushmore Society is now in the planning stages of a nationwide fundraising effort. It was my honor to present them to Al Neuharth of USA Today, who has agreed to serve as the national chairman of the fundraising drive.

Nearly 2 million tourists come each year to South Dakota to see Mount Rushmore. Tourism, my State's second largest industry, is important to our economy.

Mount Rushmore symbolizes idealism. The four Presidents, Washington, Jefferson, Lincoln, and Roosevelt, inspire school children not only in this country but throughout the world. Today's christening and launching is a tribute Mount Rushmore and everything it stands for. It is also a great honor for the people of South Dakota.

We are here to salute the U.S.S. *Rushmore* and the idealism that helps us all serve our country and our God. Thank you very much.

LARRY IRVING, SENIOR COUNSEL, HOUSE TELECOMMUNICATIONS SUBCOMMITTEE

HON. MICKEY LELAND

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. LELAND. Mr. Speaker, I am elated about the progress of Mr. Larry Irving who served as my legislative director and counsel from 1983 to 1987.

I know Mr. Irving very well. This article in Broadcasting magazine best describes the excellent work he has done for my office and the House Telecommunications and Finance Subcommittee as well as the professional and conscientious demeanor he possesses.

Please place this March 6, 1989 Broadcasting article in the CONGRESSIONAL RECORD.

Thank you for your consideration on this matter.

[From Broadcasting magazine, Mar. 6, 1989]

LARRY IRVING: MARKEY'S MAN FOR ALL MEDIA

It was the waning days of the 98th Congress and the Cable Communications Policy Act of 1984 was under siege. Its chances for survival were slim to none—a conservative group of senators led by Orrin Hatch (R-Utah) had targeted the measure because of its equal employment opportunity standards. Then in stroke Texas Democrat Mickey Leland, author of the House-passed EEO language, who struck a compromise with the senators preserving the essential elements of an affirmative action plan for the cable industry but eliminating the requirement to hire certain percentages of

women and minorities—thus keeping the initiative alive.

At Leland's side during those touch-and-go negotiations with the Senate was Clarence (Larry) Irving Jr. It was Irving, then Leland's legislative director and counsel, who played a pivotal role in drafting the initial EEO section of the bill and who worked tirelessly to gain industry backing of the EEO provision.

Today House Telecommunications Subcommittee Chairman Edward Markey (D-Mass.) relies on Irving's expertise as a formidable mediator in handling the subcommittee's mass media business. As senior counsel to the subcommittee, Irving is a key player in the formulation of any communications policy that emerges under Markey's chairmanship.

Irving joined the subcommittee in 1987 shortly after Markey succeeded Tim Wirth (D-Colo.), now in the U.S. Senate. The lawmaker describes his aide's grasp of the issues and his political acumen as "superior." Says Markey: "I was looking for people who were not only individually talented but capable of working as a team." Irving, he says, "was an ideal selection."

And Irving's sense of fair play earns him high marks from industry observers. He "bent over backwards" to "give us a fair shake," says the Association of Independent Television Stations' Jim Hedlund, who worked with Irving on children's television legislation last year. And he wins praise from industry representatives for being accessible and conscientious.

But there are those who see Irving in a less flattering light. His aggressive manner and outspokenness in dealing with the FCC has made him a sometimes unpopular figure there. But, as most Capitol Hill veterans attest, staff members are "not going to be universally loved."

Moreover, the FCC's marketplace-oriented approach to policy is frequently in sharp contrast with Markey's views and it is up to Irving to convey his boss's concerns to the commission. If Irving is a "little bit of a lightning rod," says Turner Broadcasting's Bert Carp, it is because "it serves the interests of his principles."

But Irving bristles at the thought that the world may perceive him as a "bomb thrower." "If someone thinks I am tough or aggressive or abrasive, it is not because I want to be viewed that way. I prefer to be liked by everybody, but I also have a job and I try to do my job," says Irving.

"Larry is a dynamic person who makes things happen, and people who make things happen occasionally ruffle some feathers," says Larry Sidman, staff director and chief counsel to the subcommittee.

Described as a "man of elegant taste" who likes fine wine and is a sharp dresser, Irving says he has come a long way from his boyhood days in Queens, N.Y. He attributes much of his success today to his mother and family, who encouraged him to test the limits of his abilities.

"In my family . . . we were going to do better than our parents. They did well but they wanted their kids to do better than they did and there was a sense that education was the way to do that." He also credits Leland and Markey, whom he calls his mentors, for widening his horizons.

Growing up during the politically turbulent 1960's, Irving saw the law as the "root to political power." He envisioned himself as a civil rights attorney or thought about pursuing a career in criminal law, but during his undergraduate studies at Northwestern

University in Chicago he toyed with the idea of becoming a broadcast journalist. A "media junkie" who earned money as a disk jockey at parties, Irving gave it some serious thought, but by his junior year he had set his sights back on law school.

Irving attended Stanford law school (he was elected senior class president) and spent one summer clerking at Kirkland & Ellis's Chicago office and another summer with the Wall Street firm of Breed, Abbott & Morgan. But as graduation approached in 1979, he began eyeing a move to Washington and, as it turned out, to Hogan & Hartson, which had a strong pro bono department, something Irving felt was an essential ingredient for his legal career. He spent four years with the firm, devoting some time to communications issues.

But Irving grew restless and, as coincidence would have it, Leland was looking for someone with a broad legal background and a familiarity with communications issues. Irving joined Leland's staff in 1983 just as the congressman was taking a seat on the Telecommunications Subcommittee.

Those were exciting if not tumultuous times. Pushing Leland's EEO agenda with the broadcast and cable industries often propelled him into the limelight. He was frequently at loggerheads with broadcasters who refused to accept any EEO language in the broadcast deregulation legislation Congress was then considering.

His history on the Hill, he says, has been a growth process. Working on the Cable Act, says Irving, was particularly instructive. "I learned a lot. It was the first time I was out on the firing line on an issue." In hindsight, he became too personally involved in the issue, he says. "That is the difference between 27 and 34. Now I am better able to step back and represent my clients' views without becoming emotionally involved." He nevertheless admits that when it comes to policy affecting minorities and women it is hard not to get emotionally involved.

Down the road, Irving expects the 101st Congress to start laying the groundwork for a broad inquiry into "what is a good and sound regulatory structure for the next 20 or 30 years." Markey, he says, will be asking communications interests to work with Congress in developing such a scheme. "There should be a way for all of the players to benefit," says Irving, and that is what Ed Markey wants to figure out. Such an endeavor will be like a "big mystery," he says. And as a self-described "mystery novel nut," Irving wants to be there "at the climax of the story."

NATIONAL DRUG WAR WON AT THE LOCAL LEVEL

HON. LAMAR S. SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. SMITH of Texas. Mr. Speaker, this country has declared war. The war is on drugs and it is being fought hard at both the national and local levels. Our efforts are paying off on both.

A recent national survey shows a steady decline over the past 4 years in cocaine use by high school seniors. According to the survey, teenagers are also more aware of the risk associated with drug use.

This steady change in attitude among our young people is impressive. Here is where the war will truly be won.

I am encouraged about our prospects when I read student essays like the ones I've placed in the RECORD today. Both are written by high school students in Midland, TX.

Catherine Robinson and Christi Benson understand the importance of "saying no" to substance abuse.

With examples like Catherine and Christi, our victory over drug abuse is certain.

[From the Midland Reporter-Telegram, Apr. 30, 1989]

ALCOHOL U.S. "DRUG OF CHOICE"

(By Catherine Robinson)

A 17-year-old is riding with his friend in a borrowed car. Suddenly the driver, who has been drinking, loses control of the car, and it veers off the road. The vehicle turns over four times, hurling both occupants out of the car. The driver is killed. The passenger suffers a broken pelvis, crushed shoulder, and dental injuries requiring surgery. His medical bills totaled nearly \$40,000. (USAA Aide Magazine, February 1989)

Life will never be the same for the families of those teen-agers. In America, alcohol is the teenagers' drug of choice. Teens must decide never to use alcohol or any other drug for three important reasons. Alcohol has a devastating effect on the individual teen-ager, his/her family, and his/her society.

According to the University of Michigan's 1988 drug survey, 92 percent of all high school seniors have experienced alcohol. The frequent use of alcohol by teenagers leads to addiction. There is cause for America to be concerned because 64 percent of her teen-agers are current users of alcohol (had one or more drinks in the past 30 days).

The 35 percent who drank five or more drinks in a row within the last two weeks are in great danger of addiction. Five percent of all American teen-agers are daily drinkers and are already addicts.

What does this mean to the individual teenager? Temporarily it may mean that you are the life of the party, a gregarious teenager who follows the crowd. Permanently, alcohol is a killer. If you survive the use of alcohol it will impair your language, deform your central nervous system, and cause brain damage. Every drink kills some brain cells!

According to Reader's Digest, "World of Medicine," "It may take ten years of alcohol consumption to damage an adult brain; the same amount of damage could occur in six months in a teen-ager." Do you know, doctors tell us that beer is more damaging to brain cells than hard liquor. Beer is usually what drinking teens choose.

Alcohol causes dramatic changes in the teens' home life. It often creates a lack of interest in normal activities, a low tolerance level of stress, mood swings, and frequent withdrawal from the family. Alcohol abuse in adults is a major factor in divorce, child abuse, battered wives and violence.

Teen-age pregnancies have increased because of the use of alcohol. Fetal alcohol syndrome is the third leading cause of birth defects such as learning disabilities and facial deformity. Dr. Dennis Reardon, Texas A&M drug prevention representative, said, "Alcohol is, by far, the most damage-causing and expensive mood-altering drug in the country."

"They haven't made a rule I can't bend!" says Garfield, the cartoon cat star. Is this the attitude of teen-agers growing up in America's modern, fast-paced society?

This attitude is reinforced by the media which consistently tell us that anything goes and is accepted without question. The media urge teens to be party animals. According to the National Institute of Drug Abuse, "Drunk driving is the leading single cause of death among 15-24 year olds."

Although some television programs advise moderation in drinking, the television networks sell their souls to the beer producers because of the megabucks their advertising produces.

These television beer commercials seductively show good-looking young people using these products. The result is 10 million Americans suffer because of alcoholism. Three and one-third million teen-agers show signs of alcohol-related problems. The direct or indirect use of alcohol causes the death of 95,000 people a year. Alcohol costs America \$49.4 billion a year.

The Texas Deputy Prison Director, Andy Collins, relates that about 80 percent of prison inmates admit to the use of alcohol or drugs. However, Andy says, "I've never met anybody down here (in prison) that wasn't a drinker or wasn't a drug user." Our American society is paying a deadly price for its love affair with drugs and alcohol.

The Japanese say: "A man takes a drink, then the drink takes a drink, and the next drink takes the man." Is America's future hanging in the balance because our generation wants the next drink? That one drink can throw the teenager, the family, and society out of control. Our generation has a choice which will affect our entire civilization. Our choice must be to reject alcohol and all illicit drugs.

AMPHETAMINES WIDELY ABUSED

(By Christi Benson)

The United States has the highest level of psychoactive drug use of any industrialized society. It is considered one of the leading problems facing our youth.

Even in Midland schools the problem is eminent. Amphetamines are synthetic drugs which are used as behavioral stimulants. Created in 1837 by a German scientist, amphetamines are readily available to the American public.

Amphetamines have positive as well as negative effects on their users, some of which were discovered too late to halt an international amphetamine epidemic. Today amphetamine use stands second only to marijuana use. This is a sad statistic concerning the world's most affluent nation.

Amphetamines became very popular during the 1940s. Commonly known as the pep pill, amphetamines were administered regularly to two hundred million soldiers during World War II. These pills were given to the soldiers to enable them to work longer with less sleep. Many of these soldiers returned to civilian life with an addiction to the drug.

At the same time, amphetamines were being introduced to the American market in the form of diet pills and nasal inhalants. Women of all ages were widely attracted to the new and easier method of weight loss. Sinus sufferers were thankful for the alternative choice for treatment and relief. No warnings were posted on these drugs. The Japanese, Swedish and American governments were faced with an epidemic of intravenous, prescription, and illegal drug use.

A pattern of abuse soon became prevalent among the users of amphetamines. The pattern began with occasional low-dose use. Then the user would graduate to a sustained low-dose use.

In an effort to maintain the state of euphoria, the user would slowly increase his daily dosage, eventually reaching high-dose intravenous use.

From personal observation, this has seemed itself true even within the boundaries of Midland. People who obtained the drugs over the counter or from prescriptions would often use three to four times the recommended dosage to achieve a high. This was the pattern of abuse most visible among the users.

Amphetamines have many positive medical effects. Extreme obesity can be helped with aid of these drugs. The amphetamines cause a person to become more active and require less sleep. Calories would literally be burned off a person. Narcolepsy, sudden recurring attacks of irresistible sleep, can be treated with amphetamines. The drugs fight off the urge for sleep.

Being a stimulant, amphetamines can also be used to counteract depressants. For example, an intoxicated person could return himself to normal with the correct amount of amphetamines. Many nasal inhalants contain amphetamines. Hyperkinesis can also be cured through the use of amphetamines. Many positive effects are achieved through the use of amphetamines.

There are also many negative effects caused by amphetamine use. Use of these drugs can cause increased blood pressure which can lead to a heart attack and eventual death. It also causes restlessness. This restlessness causes increased talking and activity which can lead to burn out. When a person stops taking the amphetamines, he/she often enters an intense sleep for several days. Weight loss can also be a result of extended use.

People often lose too much weight and become anemic or even anorexic. Amphetamines can cause violent behavior and hallucinations. Amphetamine use during pregnancy can cause deformity in fetal children. This deformity attacks mainly the lower limbs of the child. Amphetamine use and its symptoms have also been known to lead to suicide. The negative symptoms of speed abuse are very harmful to its victims.

Often, people close to an amphetamine addict can offer help in the early stages of addiction. There are many signs one can watch for. Users have an extremely dry mouth and high blood pressure. They often breathe at a much increased rate and have rapid weight loss.

In the later stages of addiction, users often have hallucinations and talk incessantly without structure and with no interruption. Across the country many counseling centers are available for addicts and their families. The best bet for the friend or family member of an addict is to get the addict to one of these centers. Help can be found. It could change the addict's life dramatically.

Though amphetamine use has decreased through the years, it is still an enormous problem today.

Unfortunately it is only one of the destructive drugs our society battles today. The drugs are still available and easy to get. The federal government has issued warnings against them, and nasal inhalants now include specific instructions.

Amphetamines have both a positive and negative side. Education and knowledge

about these drugs can help another international epidemic from occurring.

This is a call to action, America. Do not let drugs destroy the future of our great nation.

RIPPING OFF THE PAST: THE ONGOING TRAGEDY OF CYPRUS

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. BROOMFIELD. Mr. Speaker, I want to share with my colleagues a recent article concerning the theft of priceless religious artifacts from a Greek church in northern Cyprus. The ongoing efforts by the Republic of Cyprus to recover those extremely valuable items from an American collector is another chapter in the tragic story of Cyprus. The desecration of Greek Orthodox churches in northern Cyprus since the illegal occupation of that island must stop. I urge the administration to do everything possible to bring peace to that island by putting the issue of reducing the number of Turkish occupation troops on the front burner in our talks with Turkish authorities.

The invasion of Cyprus in 1974 cruelly divided that lovely island. Over 150,000 Greek Cypriots were displaced from their homes in the north of the island and became refugees in their own land. Thousands of Greek Cypriots are still missing to include Andrew Kassapis, as young Michigan resident who was taken from his family's home on Cyprus and never seen again. Nearly 30,000 Turkish troops occupy the northern tier of Cyprus and over 50,000 Turkish settlers were brought from Turkey to live in the north. The Green Line, an empty strip that is manned by United Nations soldiers, now divides that once unified island.

The theft from a Greek Orthodox church in northern Cyprus of millions of dollars worth of valuable mosaics is not the first time that treasures have been taken from churches in the north of that island. I trust that the courts will succeed in restoring those ancient mosaics to their rightful owner, the Greek-Cypriot church. I am concerned that this regrettable incident may not be the last.

I want to share with other Members this disturbing New York Times article about the ongoing rip off of historic mosaics in Cyprus. Now is the time to move toward a settlement of the long-standing Cyprus problem.

The articles follows:

[From the New York Times, May 17, 1989]

COURT TO SAY WHO OWNS 6TH-CENTURY CHURCH ART

(By William H. Honan)

Four rare Byzantine mosaic fragments from the sixth century have been placed in an Indianapolis vault awaiting the outcome of a Federal court trial this month that may determine their ownership. This unlikely setting is the latest stop on a bizarre journey that began in Cyprus with the Turkish invasion in 1974 and that wound its way through Munich, Geneva and New York.

The four mosaics, each about two feet square, are pieces of a much larger decoration that once covered the vaulted ceiling of

the apse of the fifth-century Church of the Panagia Kanakaria in the village of Lythrankomi in northern Cyprus, the Turkish side of the island. Both Greek and Turkish Cypriots say the mosaics were stolen from the church after the invasion.

REASON FOR RARITY

The mosaics, recently offered for sale for \$20 million, are composed of hundreds of jewel-like bits of glass, marble and stone, called tesserae, set in gold and silver mountings. The largest of the fragments depicts an adolescent Christ—a rarity because Jesus is usually portrayed as an infant or an adult. The smaller mosaics are portraits of the Apostles Matthew and James and an archangel.

"They are one of only three such early sets of mosaics in the world," said Walter Hopps, until recently director of the Menil Collection in Houston, which has one of the country's foremost holdings of Byzantine art. He said few such mosaics survived an eight-century edict by the Emperor of Byzantium that called for the destruction of images depicting sacred figures.

Lawyers for the Republic of Cyprus, which is the Greek Cypriot side of the island, and the Autocephalous Greek Orthodox Church contend that the mosaics were unlawfully bought at the airport outside Geneva last July by an Indianapolis art dealer who failed to make a reasonable effort to learn whether they were stolen. Accordingly, they seek their return.

"For us, these works are part of our inheritance, our history, our worship and the whole life of our church," said the Rev. Pavlos Maheriotis, the Abbot of Maheras, which is one of the largest monasteries in Cyprus. Father Pavlos, an imposing figure who carries a staff capped with a gold two-headed eagle, has been designated the spokesman for the church on the issue and is to testify at the trial.

"A GOOD-FAITH PURCHASE"

The defendants in the case are Peg Goldberg and her firm, Goldberg & Feldman Fine Arts Inc., of Carmel, a suburb of Indianapolis. Ms. Goldberg, who is also one of three elected county commissioners in Hamilton County, is not well known in the international art world. Her lawyers will argue that under the laws of Switzerland, she made a good-faith purchase. "We contend that Swiss law applies," said Joe C. Emerson, one of her lawyers, "because under the Indiana choice-of-law rule, the governing law is the law of the place where the transaction occurred."

Some authorities on art law believe the outcome may have far-reaching effects. "This is an important and intriguing case," said Stephen K. Urice, a Los Angeles lawyer who specializes in art law, "since it may answer such questions as whether an occupying force like the Turkish troops that invaded Cyprus and remain in control of about one third of the island can actually abrogate property rights to works of art. Another important issue is what constitutes due diligence in the purchase of an antiquity."

HOW IT STARTED

In 1986, Ms. Goldberg said, she first learned of the possible availability of "some very extraordinary early Christian pieces" from another Indianapolis art dealer, Robert E. Fitzgerald. According to her pre-trial deposition, two years later she and Mr. Fitzgerald were in Amsterdam on other business when Mr. Fitzgerald recalled her interest in the early Christian pieces. She

said he invited Michel van Rijn, a well-known Amsterdam art dealer who he said had access to the art, to lunch with them.

Mr. Fitzgerald's lawyer, William S. Spangler Jr., confirmed this account.

In 1985 in France, Mr. van Rijn was convicted in absentia of forging the signature of Chagall on works he was trying to sell and of other charges. Last year he was jailed for about two months in Spain, apparently as a result of a French request that he be extradited. Mr. van Rijn maintains his innocence and said recently that the French did not notify him of the proceedings so he could defend himself.

When Mr. van Rijn arrived for lunch, Ms. Goldberg was shown photographs of the mosaics and she immediately fell "in love with them," she said in her deposition. She said Mr. van Rijn said the pieces were owned by a Turkish art dealer named Aydin Dikmen who had been "the official archeologist for northern Cyprus." Ms. Goldberg said she was told that Mr. Dikmen had found them "in the rubble" of a church and had them legally exported to his home in Munich.

REACTION ON THE "OFFICIAL"

Mr. van Rijn, according to Ms. Goldberg's deposition, said Mr. Dikmen had offered to sell the mosaics to him for about \$2 million because Mr. Dikmen was terminally ill.

Mr. Dikmen has not returned calls made to his home in Munich. A spokesman for the Turkish Embassy in Washington said there was no basis for calling him an official archeologist. Cumhuriyet, a major daily newspaper in Istanbul, said on May 9 that when a reporter showed a copy of one of Mr. Dikmen's "export documents" to a former Turkish Prime Minister, Osman Orek, who had purportedly signed it, Mr. Orek denied signing it.

A spokesman for the Turkish Republic of Northern Cyprus reported that Mr. Dikmen had been indicted on charges of smuggling antiquities but was never convicted.

Mr. Fitzgerald, in his pre-trial deposition said Ms. Goldberg agreed that if she bought the mosaics and resold them, she would give Mr. van Rijn and him each 25 percent of the profit. Ms. Goldberg said she was shown the mosaics on July 4 in packing crates at the airport outside Geneva.

CHECKING FOR PROPRIETY

In an interview last week, Ms. Goldberg said she checked with "all the agencies I thought were applicable" to determine the propriety of her prospective acquisition. She said she spoke by telephone to Unesco in Geneva to ask about any possible treaty violation, to the International Foundation for Art Research in New York, which maintains records on stolen art, and to the customs services in the Turkish Republic of Northern Cyprus, Switzerland, West Germany, Turkey and the United States. Each one, she said, gave her an all-clear signal.

Asked why she had not checked with the last known owner, the Autocephalous Greek Orthodox Church, Ms. Goldberg said: "I profess ignorance. I contacted the governments that I thought were appropriate."

The Greek Cypriots say that in 1979 they were informed by travelers that the Church of the Kanakaria and other sites in northern Cyprus occupied by the Turks had been vandalized. They say they promptly publicized the losses in public statements, lectures and letters to specialists in Byzantine art. In 1982, they say, they widely distributed a press release calling attention to the missing Kanakaria mosaics.

Bulent Aliriza, a spokesman in Washington for the Turkish Republic of Northern Cyprus, said that the Turkish Cypriot Department of Antiquities had kept the church locked but learned in May 1982 that the mosaics had been removed. A police investigation, he said, "failed to catch those responsible" but recent reports in Turkish newspapers about Mr. Dikmen's possible involvement have led to "a very serious investigation" by the Turkish Cypriot police.

HELP OF AN ARCHDUKE

Ms. Goldberg said in her deposition that she got a bank loan in Indianapolis and bought the mosaics for \$1.2 million from Mr. Dikmen through an intermediary.

In October, she said in the interview, she enlisted Archduke Geza von Habsburg, the great-grandson of Emperor Franz Josef of Austria-Hungary, to see if he could help her sell the mosaics. He was preparing to open a branch of his Geneva-based art auction house in New York.

Mr. von Habsburg telephoned Dr. Marion True, curator of antiquities at the J. Paul Getty Museum in Malibu, Calif. Dr. True said in an interview that he offered her the works for sale; Mr. von Habsburg said in a separate interview that he was only requesting information. Dr. True said she told him the Getty did not collect Byzantine art and that she believed the mosaics were probably stolen. She said she also told the Archduke he should immediately notify the authorities on Cyprus. The Archduke said in an interview last week in New York that he reported to Ms. Goldberg that "the most graceful way out would be to find a donor who would purchase them and donate them back to Cyprus."

ROLE OF U.S. CUSTOMS

Ms. Goldberg denied that Mr. von Habsburg made such a statement to her, but by late October she had retained Louis F. Gerig, an Indianapolis public relations man who was an assistant press secretary in the Reagan White House and later was a special assistant to the commissioner of the United States Customs Service.

THE TRIAL IS SET

With Customs stepping aside, Thomas R. Kline, a partner of Manatt, Phelps, wrote to Ms. Goldberg seeking the return of the mosaics to Cyprus. Ms. Goldberg's response was to retain a law firm of her own, Baker & Daniels of Indianapolis.

On March 29, Manatt, Phelps obtained a restraining order in Federal District Court for the Southern District of Indiana forbidding Ms. Goldberg to dispose of the mosaics for a period of 90 days. Judge James E. Noland set a trial date for May 30.

A.H.S. Megaw, former director of antiquities during the British occupation of Cyprus, which ended in 1960, and co-author of a monograph on the Kanakaria mosaics, said: "They are unique treasures of the pure Byzantine tradition. One prays that their return will lead to the recovery of so much else that has been lost from Cyprus under similar circumstances." His job, Ms. Goldberg said, "was to make sure that all of the appropriate agencies in the United States knew of our acquisition so that there was no reason why we did not properly own the mosaics and so that we could proceed to sell them."

Meanwhile, Dr. True of the Getty Museum said she called Dr. Vassos Karageorghis, then the director of antiquities in Cyprus, and told him the Kanakaria mosaics were in the possession of an American

dealer. Shortly thereafter, the Republic of Cyprus and the Church of Cyprus told their Washington law firm, Manatt, Phelps, Rothenberg & Phillips, to try to recover the artworks.

Manatt, Phelps asked the Customs Service to intervene in the case. A spokesman for the service, Denis Shimkoski, said the Customs Service would not discuss the case now that it is in litigation.

Mr. Gerig, the publicity agent retained by Ms. Goldberg, said he called on William von Raab, the head of the United States Customs Service, this year. A few weeks later, Ms. Goldberg said, she received a letter from Mr. von Raab stating that the Customs Service saw "no reason to contemplate enforcement action with respect to the mosaics."

RENEWAL OF SEAMEN'S LICENSES

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mrs. LOWEY of New York. Mr. Speaker, the Coast Guard should be authorized to use all means available to assess a seaman's fitness to pilot vessels. Yet, under the current system, the Coast Guard may not investigate the driving record of a candidate for license renewal to determine if that candidate has a record of alcohol-related misconduct. In renewing seamen's licenses the Coast Guard is directed to account only for the seaman's license. Any acts of misconduct or negligence committed on land, like driving while intoxicated, cannot be included in the evaluation for the renewal of a mariner's license.

Today I rise to introduce a measure to expand the Coast Guard's ability to assess the fitness of applicants for pilots' licenses. My bill would direct the Coast Guard to consider alcohol abuse when licensing ship pilots. We were all made painfully aware of the need for this type of measure when Captain Hazelwood, a three-time DWI offender, allegedly left the helm of the *Exxon Valdez* under the influence of alcohol before the ship ran aground on March 24, releasing 10 million gallons of oil into the Prince William Sound.

My legislation would authorize and require the Coast Guard to access the national driver register to investigate a seaman's driving record when assessing his fitness to pilot a vessel. In addition, my measure would direct the Coast Guard to suspend or revoke a seaman's license if it is found that the license holder has an alcohol problem. I am hopeful that, with the enactment of this bill, we will move closer to ensuring that an environmental disaster like the one caused by the *Exxon Valdez* is never repeated.

RECOGNIZING REV. CHRISTIAN ROBERT ORAVEC

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. MURTHA. Mr. Speaker, this past Sunday, my good friend Father Christian Oravec celebrated his 25th anniversary of his ordination to the priesthood by offering his Silver Jubilee Mass in Johnstown, PA.

It has been my distinct pleasure to know and work with Father Oravec for many years. To every issue he confronts, he brings the dedication, compassion, and commitment that is in the highest ideals not only of the priesthood, but of the American spirit as well.

Over the past couple of decades, our part of the country has known tough times, including a disastrous flood and at one point the highest unemployment rate in the Nation. Father Oravec was a constant source of spiritual leadership through these times and of community activity as we rallied together to overcome these problems.

Please let me extend my sincere congratulations to Father Oravec, and state my pleasure in making these public comments in recognition of his service and dedication.

SPECIAL WORDS FROM A YOUNG AMERICAN

HON. DOUGLAS APPEGATE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. APPEGATE. Mr. Speaker, I would like to take this opportunity to share with my colleagues in the House of Representatives the highly prescient and reassuring views and thoughts of a young American, Jennifer L. Sherman, a 13-year-old student at the Southern Local Middle School of Columbiana County in my congressional district.

I'm certain that Jennifer conveys the views that most Americans hold when it comes to the American flag and America's veterans. The recent events in which some individuals have sought to pursue ill-conceived notions of freedoms of expression, particularly the case of an artist displaying the American flag on the floor of an exhibit in Chicago, have evoked some real words of wisdom from an outstanding young American, a person very much younger than many of us, but someone who exhibits far greater maturity and citizenship that we often see in our land today. I feel Jennifer's thoughtful remarks are highly appropriate for our time.

WHAT PRICE FREEDOM?

Over one million American servicemen have died for our country; hundreds of thousands have been wounded, including many thousands of amputees. The families of these casualties number in the millions and have suffered deeply to form our nation and defend our flag.

It is a wonderful thing to live in a country that has freedom of expression. It is easy to take this for granted because many of us

living in America today did not have to fight for this right.

Recently an artist in Chicago laid the American flag, as his art exhibit, on the floor of an art gallery in a position where many people walked on it. A group of Veterans saw this and took the artist who was backed by the American Civil Liberties Union, to court to get him to take the American flag off the floor. When they lost this battle, you could see tears rolling down the Veterans' faces.

When these brave men sacrificed everything to win our freedom, they did not intend for us to disgrace the American flag. Who is going to fight for their rights?

WHAT THE GETTYSBURG ADDRESS MEANS TO ME

It is July 1, 1863. You are standing on the battlefield at Gettysburg, Pennsylvania. To the steady beat of drums, men are marching into battle carrying the American flag. They are hot and sweaty. Some of them are infected by disease. A cannon goes off. Several men fall screaming in pain as shrapnel tears through their bodies. A man kneels down by this friend who was just killed by a musket ball. Moments later he too is dead. It is very loud, hot, and smoky. Most of the men on the field are wearing wool uniforms and hats.

At a camp nearby a doctor takes off a man's badly injured arm. He is using no anesthetic and his knife is still blood-stained from the last operation.

When both armies, the North and South, marched away from Gettysburg on July 5, 1863, they left a town in shambles. More than 51,000 casualties were left behind. The wounded and dying were crowded into buildings and homes. Homes were hospitals and barnyards were graveyards. Some men were buried in hasty graves and others weren't buried at all.

This alarmed Pennsylvania's governor, Andrew Curtin. He called on a local attorney, David Wills, to buy land for a proper burial ground for the Union dead. Four months after the battle, preparation began on seventeen acres of land that became Gettysburg National Cemetery.

President Abraham Lincoln was summoned to give a small speech. He dedicated a memorial park to the Union soldiers who fought there. The Address, containing 272 words, was given on November 19, 1863. Lincoln made the speech in two minutes. It was more moving and touching than Edward Everett, the famous orator, who was the main speaker.

"Fourscore and seven years ago our fathers brought forth on this continent a new nation, conceived in liberty, dedicated to the proposition that all men are created equal." This means that more than eighty-seven years before Lincoln gave his speech, our founding fathers signed the Declaration of Independence and intended this country to treat men and women of all races and religious preferences, alike.

Yet today all human beings are not treated equal. The Ku Klux Klan and other white supremacy groups terrorize minorities. The Indians have given up all hope of being equal to white Americans. Many have deteriorated to the point where they are caught up in alcoholism and gambling. They are experiencing low employment and income. Child abuse is widespread.

The words "... that this nation under God, shall have a new birth of freedom, and that this government of the people, by the people, and for the people shall not perish from the earth" means we as a nation under

God should pull together and fight problems together and rejoice when happiness comes our way. We need to be strong and to fight for what's right.

The 51,000 men at Gettysburg and the 16th President of the United States, Abraham Lincoln, gave their lives to preserve our freedom and liberty.

How many people today would leave their families to fight for their country? How many people would die to preserve our freedom?

How many people really love our country? We don't even say the Pledge of Allegiance in school. Roughly half of the eligible voters don't even bother to go to the polls. During the Vietnam Conflict many men headed for Canada rather than serve their country. There are demonstrations against our President and our government. We are no longer a united country.

During the raging battles of the Civil War, a soldier would carry the American flag and hold it high off the ground. Often a flag bearer would be shot clutching the flag as he fell.

Recently an artist in a major city laid the American flag, as his art exhibit, on the floor of an art gallery and expected people to walk on it. A group of Veterans saw this and took the artist who was backed by the American Civil Liberties Union, to court to get him to take the American flag off the floor. When they lost this battle you could see tears rolling down the Veterans' faces.

When people like this deliberately deface the American flag they are making a mockery of the thousands of soldiers and families who suffered or died to preserve our freedom.

The next time we need men to fight for our country who is going to want to do it considering what the Veterans are going through?

The men at Gettysburg who suffered and died did not intend for us later to disgrace America and her flag. They gave their "last full measure of devotion." Shouldn't we also?

A NOTE ABOUT THE AUTHOR

My family and I visited Gettysburg last summer. We had a personal tour guide take us around Gettysburg National Park while she explained the battles to us. I tried to imagine myself out on the field fighting and then standing there listening to the Gettysburg Address. It made me proud to be an American. I wondered what I could do to help our country.

Last week when I heard about the artist and the A.C.L.U. getting away with making a mockery of the American flag while bringing tears to the eyes of the Veterans, it made me want to help our country by helping the American Veterans. I hope by writing this paper someone might read it and help them.

RURAL HEALTH CARE: THE STRUGGLE FOR ACCESS STILL RAGES

HON. NICK JOE RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. RAHALL. Mr. Speaker, I am a member of the Rural Health Care Coalition, and a co-sponsor of a series of bills recently introduced by the coalition.

There is no question that when, in 1987, the Rural Health Care Coalition was founded by Representatives TOM TAUKE and MIKE SYNAR, it was an idea whose time had come. I applaud the leadership they showed in founding the coalition, and convey my thanks to them for the time and effort they and their staff provide to other coalition members.

Recently, a series of bills were introduced (H.R. 1583, H.R. 1584, H.R. 1585, H.R. 1586, H.R. 1587, H.R. 1588, and H.R. 1589) and which I strongly recommend to my colleagues for their consideration and cosponsorship, that represent the coalition's intent to maintain and strengthen the Nation's rural health care delivery system. We have, as our goal, the assurance that every rural American has access to high-quality, affordable, community-based health services.

Mr. Speaker, I know that the Congress has just acted on next year's budget resolution covering all the major programs that we hold to be crucial to the well-being of our citizenry—everything from Medicare and Medicaid, to education and health care—and we went on record with regard to protecting those who need a helping hand the most—those whom we designated in low-income/high priority programs.

Members of the coalition testified before the Appropriations Subcommittee on Labor, Health and Human Services, Education, and Related Agencies on May 2. I would like to add my voice to that testimony on behalf of those appropriations requests. While we know the budgetary constraints faced by all Members of Congress this year, and certainly the next, and while we kept our requests on behalf of rural health to a short list of priorities, those included in our requests for funding are those that will do the most to address health care needs in rural areas.

Priorities described in the coalition members' testimony included rural health care transition grants for the purpose of assisting small rural hospitals adapt to new trends in medical care and technologies, and to the changing demographics and economies of rural areas. We ask for full funding of these grants at \$15 million.

The need for additional Federal support to combat infant mortality is overwhelming. The United States ranks 19th among industrialized nations in its infant mortality rate—10.4 per thousand births. To address this problem, virtually all maternal-child health experts have stressed the need to reduce the obstacles women face in obtaining prenatal care, including geographic, financial, and education barriers. We ask for a \$50 million increase in the maternal-child health block grant in order to involve more pregnant women and mothers with infants in Federal maternal-child health programs. This is not a lot of money when you consider that taxpayers spend \$6 billion to care for infants not receiving prenatal care—and it would benefit urban as well as rural areas.

We are deeply appreciative that the HHS Secretary, in 1987, responded to our request for an Office of Rural Health Policy at the Public Health Service—but what it needs now is funding. Last year, funds to support the important activities of the newly created Office were taken from appropriations for rural health

research centers—the funding for which was only \$1.48 million in fiscal year 1989. This important Office cannot address the rural health care crisis if it does not have the resources to do the job. We ask for funding at or above the \$3.1 request of the administration, and for a specific set-aside of those funds for the operations of the Office of Rural Health Policy.

Other coalition requests for funding priorities included programs to alleviate the shortage of health care personnel in rural areas—of not just doctors but also of nurses, nurse practitioners, medical technologists, physical and occupational therapists, and a whole array of allied health professionals. We ask for maintenance of National Health Service Corps, including the earmark of \$3 million for the NHSC loan repayment for nurses.

The coalition included in its request, at least current levels plus inflation adjustments for area health education centers [AHEC's]. This program is of critical importance in my district and to the State of West Virginia as a whole.

Mr. Speaker, since the 1960's there has been a concerted effort by the Federal Government to improve the health status of the population of the Appalachian region—a region consisting of 397 Appalachian counties in 13 States. West Virginia is the only State which falls entirely within the definition of Appalachian "poverty."

Federal health care initiatives have been designed to increase the access to medical care for the indigent, women and children, the elderly, or anyone else in need. The philosophy behind this effort has been that health care is a right regardless of ability to pay. The outcome has been the creation of some 400 primary care/community health clinics scattered throughout the Appalachian region.

In spite of these federally funded initiatives, many areas within this region report continuing shortages of physicians, nurses, physical therapists, and other types of health workers. For example, in West Virginia, National Health Corps Services assignees often leave after their obligations have been met, especially those assigned to rural areas. Today, some 45 or so counties in West Virginia report a shortage of physicians within four levels of the HMSA designations used by the Federal Government. Conversely, epidemiological indicators point to high rates of poor nutrition and obesity, drug/alcohol dependency, certain cancers, teen pregnancies, industrial accidents, poor dental hygiene, and a variety of other health problems throughout the State. This is a deadly combination when you factor in massive unemployment causing thousands of individuals and families to be without health insurance.

An expansion of area health education centers, Mr. Speaker, would go far in converting a liability into an asset; that is, the existence of serious untreated health problems provides an excellent learning opportunity for health science students, and could also serve as an inducement in the recruitment and retention of these students after graduation. We need to build on the firm foundation already laid by past initiatives to increase access to health care, by constructing as the next component, a network of learning centers in select primary

care centers throughout the Appalachian region.

By implementing this "second phase," we could realistically build upon the AHEC concept which was designed to serve both student and the surrounding areas, linking academic medical centers with actual clinical training in underserved areas. Forty-three AHEC centers now serve 247 counties in 19 States, and 19 of the first 21 AHEC's, including West Virginia's, are still in operation despite the fact that they are no longer eligible for Federal assistance.

West Virginia, which is 63-percent rural in nature, has begun to address the problem of uncompensated health care, and has established a pilot health insurance program for the working uninsured. The State's total uncompensated health care amounted to \$130.87 million in fiscal year 1987—the last year for which such data is available. Blue Cross/Blue Shield has recently notified the State that group health care rates will increase by as much as 90 percent in some areas in West Virginia. This means that 1,000 more in our State will probably cancel their insurance, because they can't afford the higher premiums—and there are already an estimated 300,000, or nearly 16 percent of West Virginians without health care insurance; and 80 percent of those have incomes below 200 percent of the Federal poverty level or, roughly translated, are medically indigent.

Finally, Mr. Speaker, I want to reiterate my appreciation for the many benefits that have accrued to rural West Virginia, and Appalachia as a whole, as a result of Federal initiatives for improving access to health care. I single out the AHEC's for special praise because access to health care has been improved. But the incontrovertible fact remains that—geographic isolation continues to be a major constraint for future programming—and geographic isolation continues to be a common characteristic among the 13 Appalachian States, ranging from the southwestern counties of New York, to the rolling hills of Mississippi's northwest, and includes the States of Pennsylvania, Maryland, Ohio, Kentucky, West Virginia, Tennessee, North Carolina, South Carolina, Georgia, Alabama, and Virginia. The Nation's poverty pocket—known as Appalachia—still needs our attention and our care to bring it into the mainstream of civilization, and out of the misery of constant want and the despair of never quite having full access to such life-giving necessities as jobs, food, shelter, and health care.

A TRIBUTE TO REGINALD F. MARRA: AN OUTSTANDING PUBLIC SERVANT

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. GILMAN. Mr. Speaker, each of our colleagues can attest to residents of our congressional districts whose devotion to public

service is well above and beyond the call of duty. I would like to call to the attention of our colleagues the career and accomplishments of one such constituent in my own 22d District of New York.

Reginald F. Marra decided at an early age that he would devote himself to a life of serving others. After graduation from the State University of New York in Oswego in 1963, he pursued a career of teaching—which we all know is one of the most thankless, yet gratifying, professions that an individual can engage in. By helping mold young minds, Reg Marra helped guarantee the future of our Nation. Reg Marra followed 11 successful years as a teacher by becoming principal of the Saunders Trades and Technical High School in Yonkers. After successful stints as director of occupational education and special assistant for legislation for the Yonkers School District, Reg now serves as deputy superintendent of schools for Yonkers: A career of dedication to the education of our youth.

In addition to his education pursuits, Reg Marra's public career began in 1973, when he was elected to the first of three terms as trustee in the village of Irvington-on-Hudson. The Irvington residents in gratitude for Reg's devotion to his community, and for his outstanding years as a trustee, rewarded him by electing him mayor in 1979. During the subsequent 10 years, Mayor Marra led his village through some of the most controversial and challenging years which all of our small communities faced. Mayor Reg Marra, in an outstanding manner, lead Irvington-on-Hudson through those years and successfully met those challenges. His expertise and dedication were recognized in his election as first vice president, and then president, of the Westchester County Village Officials Association.

Throughout his years of service, Reg Marra did not neglect his family and personal lives. His lovely wife Marianne, their sons J.P. and Matthew; and their daughter Lisa are proud of the accomplishments that Reg Marra has achieved. In the meantime, Reg found time to earn a master of arts degree at Manhattan College and to study educational administration at Fordham University.

As a lifelong resident, born and raised in Irvington, Reg Marra's fellow villagers especially appreciated his choice to devote his life to building a better community. In addition to his elected positions, Reg Marra has also served on the board of directors of the Hudson Valley Day Care Center, the Jobs for Youth Program, and the board of trustees of the Dobbs Ferry Hospital.

Reg Marra chose not to seek a sixth term as mayor this year because he has duly earned a respite, and an opportunity to spend more time with his family. But his services will not soon be forgotten.

Mr. Speaker, I invite my colleagues to join with me in saluting an outstanding public servant who has been an inspiration to us all and to join with me in wishing Reg and Marianne Marra good health and happiness in all their future endeavors.

FIX FAX FLOOD

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. STARK. Mr. Speaker, it began a few months ago, and appeared to be somewhat of a novelty or rare occurrence: Our fax machine would spontaneously spout a faxed commercial advertisement for office equipment or pitching discount prices for fax paper. Sometimes, an unsolicited fax advertisement for a pizza carryout or a sub shop came over the fax machine.

Admittedly, the early fax advertising was somewhat amusing.

Now, it's a royal pain in my backside. Misuse of junk fax advertising, initiated by irresponsible and notorious advertisers, threatens the current legislative environment in this new technology.

Just a few weeks ago, I joined my colleagues ED MARKEY, CHRISTOPHER SHAYS, BARNEY FRANK, and MATTHEW RINALDO in introducing legislation which would allow fax owners to effectively block junk fax advertising. The approach parallels efforts to encourage the regional telephone companies to allow blockage of "976" numbers and stop the intrusive dial-a-porn industry.

The following article outlines a very interesting perspective on the need for Federal junk fax advertising restrictions. I urge my colleagues to consider the article.

[FROM THE WASHINGTON POST, MAY 23, 1989]

THE JUNK FAX ATTACK: WHY MARYLAND MAY OUTLAW UNSOLICITED ADVERTISEMENTS

(By Jerry Knight)

When the history of facsimile transmission machines is written, Elliot Segal should be remembered as The Man Who Faxed Himself to Death.

Segal is a classic late 20th Century technopreneur, an innovator who ranks right up there with the inventors of phone sex, colorized movies and 900-numbers that tout video game tips to little kids.

He is also the reason that Maryland this week could become the second state in the union to outlaw "junk fax."

Fax machines, for those who blinked and missed the revolution, are the hottest tech since cellular phones. They send and receive copies (facsimiles) of documents by phone lines at the rate of a page a minute or less. At \$8 a pop to send a letter across the country by Federal Express or across town by messenger, versus less than \$1 a minute for a phone call, it doesn't take long to pay for a \$799 fax machine. That's why the fax population has doubled—to 2.5 million—in the last year and could double again in the next.

Junk fax is the electronic equivalent of junk mail. More than a medium with a new message, it is a rave new world of marketing that literally uses the fax as an advertisement for itself. Unsolicited solicitations are an occupational hazard in the newspaper business; our fax machines generate misuses with such fecundity that even Fawn Hall couldn't keep up with shredding them. Some papers—not this one—have decided that unsolicited fax are not fit to print, so they change their fax numbers frequently. But these are not junk fax messages. Junk fax is advertising.

Which brings us to the Elliot Segals of the world. His contributions to the trivialization of technology include transforming the fax machine into a vending device and paying bounties for lists of unlisted fax numbers.

Segal is VP for marketing for a California company called Mr. Fax. Two years ago he and President Steven Ridinger set out to become electronic Fuller Brush men, using fax machines to sell fax machine paper. Mr. Fax gets his foot in the door by sending out ads by fax. Your machine beeps and out belches an order form from Mr. Fax. You fill in the blanks, fax it back and your paper will be on the next truck.

And you get a free bonus! A Polaroid camera for every 100 new fax numbers you provide. Just make a copy of the fax line phone bill, fax it to us and the camera is in the mail. Thus junk fax spreads like a social disease, when someone you faxed with swaps your phone number for a Polaroid.

In this era of instantaneous communication, the backlash against junk fax was not long in coming. At latest count, the federal government and nine states were moving to curb junk fax.

House Telecommunications and Finance subcommittee chairman Ed Markey (D-mass.) will start hearings Wednesday on a bill that would require the phone company to help control junk fax. People who don't want to receive advertising on their fax could notify the phone company, which would publish lists of numbers that fax advertisers would have to avoid.

Aside from the aggravation, there are two complaints against junk fax. First, the recipient has to pay for it. Fax machines use special paper and that paper isn't cheap—3 to 5 cents a foot if you buy it at a discount from Mr. Fax—so receiving a junk fax is like getting junk mail with the postage due. Second, when someone is sending you a junk fax, you can't use the machine either to send or receive.

There are lots of jammed-with-junk-fax horror stories around, the best of them about the New York nuclear/submarine crisis. As the Associated Press tells it, New York Gov. Mario Cuomo was expecting a memo on nuclear power plants from state consumer protection chief Richard Kessel, but Kessel couldn't fax it because his machine was busy receiving a three-page menu from a local sub shop. That's one reason New York is considering a junk fax law.

Connecticut became the first state to legislate against junk fax thanks to our Mr. Segal and another of his ventures, an organization called the National Fax Users Committee. Ridinger said Mr. Fax organized the NFUC at the urging of customers, who fear that junk fax controls will not only outlaw advertising but also require all users to call for permission before they fax anything to anybody.

Threatened with the loss of the lucrative Connecticut junk fax market, the NFUC launched a fax attack to try to get Gov. William A. O'Neill to veto the bill. NFUC sent out several thousand faxes urging the faxees to refax the fax to the fax machines in the governor's office. They did. Unfortunately the fax flood coincided with a real one. As the governor was awaiting a flood condition report from the state Office of Emergency Management, the veto pleas came faxing in. Until that moment, the junk fax problem was not considered important enough to require a new law. After the industry faxed itself in the foot, junk fax victims in Connecticut can qualify for up to \$200 in damages.

Then it was on to Annapolis, where the junk fax industry last week launched what Robert Iannucci, the governor's legislative director, called, "the most counterproductive lobbying effort I've ever seen."

For hours, Gov. William Donald Schaefer's machine churned out faxes on the fax bill, 343 of them, more than all the messages the governor's office has received on all the other 900 bills awaiting his signature. Most of the faxes came from out of state and most urged the governor to veto the bill. But roughly one faxer in five crossed out "veto" and wrote in "sign." Many of them added comments that cannot be printed in a family newspaper but used language Schaefer could relate to.

The governor says he will decide in the next few days whether to sign the bill. If you want to influence his decision, don't send a fax.

SALUTE TO NATIONAL MARITIME DAY AT PORT EVERGLADES, FL

HON. LAWRENCE J. SMITH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. SMITH of Florida. Mr. Speaker, as part of our national celebration of America's merchant marine, I invite you and all my colleagues to join me in applauding a young man from my district who recently won a nationwide essay contest sponsored by the Propeller Club of the United States.

Adam Pollack of Cooper City High School competed with students from across the country, and in winning the contest, he became the second Port Everglades Propeller Club representative in a row to be awarded first place. I congratulate the entire Pollack family on Adam's achievement. Also, I wish to recognize his teacher, Marsha Williams, for helping Adam develop the skills which let him create such an exemplary essay.

Members of the House, I find it especially appropriate that part of America's tribute to its merchant marine involves our youth. Today's students should learn all they can about this unique and important part of American history. American mariners have made outstanding contributions to our Nation. They were a vital part of America's fledgling Navy during the Revolutionary War, and they proved their commitment to the country in this century again, when they endured terrible losses and hardships in order to supply the Allies during World War II.

In peacetime, American mariners have always helped America build and develop its economic strength, and they should be thanked for their part in our success. The merchant marine has earned a proud place in America's history and culture.

Finally, I wish to recognize the Port Everglades Authority and the Propeller Club for co-sponsoring a National Maritime Day reception.

H.R. 1654, THE CRIMINAL ASSAULT WEAPONS ACT OF 1989

HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. FAZIO. Mr. Speaker, today I am adding my name to the list of Members cosponsoring H.R. 1654, the Criminal Assault Weapons Act of 1989. While I am supporting this measure to enhance the penalties associated with the use of semiautomatic assault weapons in connection with crimes of violence and drug trafficking offenses, I also believe that we must go beyond enhanced penalties and enact legislation which will prohibit the importation and manufacture of semiautomatic assault weapons.

In this light, I am also a cosponsor of H.R. 1190, the Semiautomatic Assault Weapons Act, legislation which includes enhanced penalties and a ban on the importation and manufacture of semiautomatic assault weapons. If we are to limit the easy availability of these types of weapons and limit their use by drug dealers and others who use them in the commission of crimes, then we must approve a comprehensive measure which bans manufacture and importation and includes enhanced penalties.

PRESIDENTIAL MANAGEMENT INTERN PROGRAM

HON. BRIAN J. DONNELLY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. DONNELLY. Mr. Speaker, over the past 10 years as a Member of the House of Representatives, I have had the opportunity to meet many of the people that have come to visit my office. Many of my visitors have come for advice on how to land a job on Capitol Hill or in one of the many Federal agencies. For all the advice that my office has been able to muster, I regret that the demand for most of the jobs and internships vastly outweigh the supply.

One of my constituents, Elaine M. Sudanowicz of Dorchester, MA, who participated in the Presidential Management Intern Program in 1986, has written a piece that I believe should be reprinted in the RECORD. Her accounting of the PMI Program should be of value to many young professionals who have been inspired to gain experience in the public sector.

Elaine, a graduate of Suffolk University in Boston, is a contract negotiator for the Air Force Systems Command/ESD-PK at Hanscom Air Force Base, MA. She dedicated the following article to her mother, Helen Sudanowicz, who passed away during her internship. Mrs. Sudanowicz served the Federal Government for 20 years with distinction and shaped Elaine's commitment to public service.

The article follows:

A FIELD PERSPECTIVE ON THE PMI PROGRAM (By Elaine M. Sudanowicz)

Why select a public service career? When compared to the private sector, the motivational factors certainly are not monetary gain or financial reward through attractive benefits. For many, the decision to enter government service is based on intangible values anchored in commitment, dedication, and integrity. Giving oneself in service to others and to our country motivates many and attracts them to the higher calling of public service. The Presidential Management Intern (PMI) program is such an initiative.

INTRODUCTION

The PMI program began in 1978 to attract the "best and the brightest" to public service and to train them as future federal managers. Today, the program, sponsored by the Office of Personnel Management (OPM), competitively selects approximately 400 highly qualified master's degree graduates annually for federal placement in diverse career fields. Although many interns are right out of graduate school, other PMIs are already career civil servants who "downgrade," accepting less pay in order to serve an agency in a new capacity, and gain a different experience. Others have prior work experience at the state or local government level.

PMIs train with an agency for two or three years and begin their internship at a General Schedule (GS) level 9 position, earning around \$22,000 annually. During the internship, PMIs advance a grade per year, ending at the GS-12 level. In many agencies, PMIs are free to change positions during the internship. For example, a PMI with an interest in budgeting might work for a congressional budget committee or the Office of Management and Budget for awhile to gain budget experience.

As a PMI finalist gets to the point of selecting an agency, major career decisions take place that prove more intense than the initial competition phase of the Office of Personnel Management's selection process. It is an exciting time to become a federal employee and help influence the future of public service. Learning to work within the federal bureaucracy and make a difference in your agency is a daily challenge. The time has arrived when more must be accomplished with less. Major changes and budget cuts are overdue, forcing a reprioritization of programs. All of these interrelated factors will affect your internship.

The issues presented in this article are based upon my career decisions and experiences as a "field" PMI training as a defense contract negotiator. A "field" intern works outside of Washington, DC in one of the 10 federal regions. Specific lessons learned for interns include:

Believing in and understanding your agency's mission;

Decisionmaking to support the agency from the field; and

Balancing on-the-job training (OJT) with continued education and planning for a future federal career beyond the PMI program.

SELECTION PROCESS

Recruitment

Agency recruitment correlates directly to agency need. The number of interns selected by an agency varies from year to year. Some federal agencies develop their own internal training programs. Interns are influenced greatly by external factors that contribute to their attitudes toward a particu-

lar federal agency or career field. Likewise, agencies develop attitudes about PMIs—most positive, others negative.

In 1986, the uncertainty of the Gramm-Rudman impact on federal agencies left many interns with limited career options. Initially, agencies withdrew job offers and later reinstated positions after the majority of interns were placed. However, in the years following 1986 more positions have opened up to PMIs. The program recently has grown from 200 to 400 positions annually.

Agency Mission

The selection of a federal agency and career field is a complicated process involving deep self-analysis and examination of an agency's mission. Understanding and supporting an agency's mission is critical to carrying out its goals at every level within the organization. A commitment to serve the public and dedication to the agency's mission should be ingrained in those honored to hold positions of public trust.

It does not matter at what organizational level you are assigned. Without strong personal belief in the agency's goals, you may become narrow-minded and unable effectively to sustain enthusiasm for all of the minute tasks assigned over an extended period of time. For example, at times extensive paperwork may diminish job satisfaction, but if you believe in your contribution to your agency's goals, productivity will increase and a feeling of accomplishment can tackle any obstacle.

If an intern does not examine his or her suitability to an agency's mission, a mismatch could force a disconnect between the agency and the intern, leading to employee turnover. If a PMI takes a job with an agency whose mission he or she does not particularly care about, the PMI may end up quickly losing interest in the agency and the job.

It is important to realize, too, that agencies select interns according to who best fits their mission goals and needs, and that different agencies have varied levels of expertise at administering internship programs. New interns should exercise patience with their agencies because many are trying to provide quality training, and their training programs may just be starting to evolve.

Selection

Selecting an agency is multi-faceted. True personal success and a bright future with an agency depend heavily upon both the agency and the intern supporting the agency's mission and on the fulfillment of mutual needs.

An agency makes a financial training investment in each intern, and it is the intern's responsibility to make a return on the agency's investment. If the intern is unwilling to reciprocate, the agency may not be as willing to offer a high position or increased challenges when the internship is over. Although intern salaries tend to be low, an intern should factor in the training investment and courses provided by the agency.

Personal Choice

In 1968, influenced by the space shuttle disaster and reports of high priced spare parts in Defense, personal career choices led me toward the contract negotiation career field. Prior work experience would have led to a more obvious career choice in the corrections and criminal justice area. However, ask yourself as I asked myself, "Where can I serve to help make a difference, learn the most in the intern process, and make future contributions to public service?"

After completing the PMI program interview process in Washington, DC and accepting a training position as a contract negotiator with the Air Force Systems Command, Electronic Systems Division, of Hanscom Air Force Base, I visited Arlington National Cemetery. Walking through the cemetery was a sobering experience which reaffirmed my commitment to serving the public and the mission of my agency. Symbolically depicted, I felt the dedication of individuals who gave their life in service to defending our country and to furthering the exploration of space.

Contributions to Public Service

Even though as an intern your contribution may only be a small part of the whole, if all your work is quality work, then you can take pride in the larger coordinated effort. In the final analysis, it all relates to an agency's mission and to serving the public with excellence. As a contract negotiator, I derive great satisfaction from conducting a thorough analysis, examining proposals, and negotiating a fair and reasonable price for the government. I have never regretted doing extra work to ensure a quality effort.

Be prepared to give your best at all times because the public deserves your best effort. As a PMI, you represent the PMIs who will come after you. You are also a reflection of your agency and of your graduate school. Try not to make the road harder for future PMIs. Some federal agencies now refuse to hire PMIs because it is not worth their extra effort to continue hiring PMIs when past PMIs made it very difficult for others. As an intern, you have a responsibility to assist your fellow trainees regardless of the training program to which you happen to be assigned. Serve as a true role model for the newer interns following behind you.

Loyalty

Loyalty to your agency and to serving the public is an important attribute. Loyalty must not be blind, but have a concrete foundation in high ethical values. Upholding the United States Constitution through quality public service in your agency is key.

All federal employees recite and affirm an oath of public office. As you enter federal service, take your oath and conviction to your agency's mission seriously and try to maintain it throughout your career. Reciting your oath with conviction is important because these are not mere words, but your pledge to uphold the Constitution through the work of your agency.

WORKING OUTSIDE THE BELTWAY

Although proportionally fewer PMIs are permanently located in the field, it is important for an internship to be well-rounded. Those PMIs permanently located in Washington, DC should consider rotating to regional field offices to gain an understanding of field level implementation of national level policy. Likewise, those PMIs in the field should be fully aware of department-level coordination of various field activities and their established processes of follow-through to ensure that policy is implemented properly.

Field Advantages

There are many advantages to working in the field. Working for an agency at the regional level is often where the greatest contact is made with the general public and with its operational functions. In many instances, the service delivery process begins and ends in the field. Federal policy is tested in the field and measured against

how these policies affect the public. It is in the field where the most intergovernmental coordination takes place between all levels of government. For example, there is a great deal of operational contact between leaders of the local business community and every federal agency involved in acquisition contracting.

Individual public access is greater in the field than it is in Washington, DC. Field office employees in federal agencies such as the Social Security Administration, the Environmental Protection Agency, and the Internal Revenue Service have direct contact with the public on a one-on-one basis.

Field Disadvantages

The greatest drawback to accepting a field position when 90 percent of your counterparts are located in Washington is geographical isolation or distance. Another disadvantage is not gaining Washington or headquarters experience.

To compensate, field interns should participate in all PMI conferences sponsored by OPM. The PMI program encourages all interns to attend management development seminars designed specifically for them at certain points in their program development. These programs consist of PMI Orientation, End of First Year Seminar, End of Second Year Seminar or Graduation, and a Foreign Affairs and Congressional Briefing Conference. Additionally, interns may consider taking other headquarters' courses.

Field Isolation—A Solution

Field interns actually have greater personal flexibility. A field intern can take advantage of both many Washington, DC activities, and events geared to PMIs in the region. For personal and family reasons, many PMIs must work close to home. Many already have established themselves in their local communities, own their own homes, and must in addition to career, care for children or aging family members. There is flexibility to participate in many PMI activities, serve your agency from the field, and maintain personal relationships and responsibilities. It is important to realize that field PMIs can develop a quality internship.

Field isolation occurs if the intern decides not to become involved. Each intern is personally responsible for his or her level of interaction in the field with other activities. There are plenty of opportunities to join work-related professional associations, like the American Society for Public Administration, the National Contract Management Association, and the Presidential Management Alumni Group.

Actively participate in professional activities, get involved at work, and support one another within the same geographical location. It is challenging to utilize your organizational skills around career field specialties within your own agency and with other federal, state, and local governmental units.

Although interns are usually clustered by class year and geographical location, it may make sense to coordinate field activities to include all PMIs and PMI alumni located within one federal region. Doing so fosters networking and field interns can learn more from each other through their assigned agencies.

Policy Implementation

Deciding the level within the organization at which the internship is to be performed is based on agency need and personal choice. It may also depend upon the intern's past work experience. As an intern, it is important to blend both a macro and micro

understanding of policy implementation and operational functions in the field.

Those more effective at drafting public policy should have a thorough understanding of how this policy will be implemented and how it will affect the field's operating procedures. It does not take long when implementing higher level policy to realize how important its effect is on the field. PMIs in Washington work on broader public policy issues. Interns should seriously consider this important difference. For example, acquisition interns must learn the fundamentals of contracting in the field before thinking of working on contracting policy in Washington.

Policy should be tested at the most basic implementing process levels in the field. Providing training and enough time for proper implementation is critical. Follow-through with periodic field visits is necessary to check on the effectiveness and the efficiency of new policy. At times the intent of policy is lost when it filters its way down to the field operating level after being subjected to various higher levels of interpretation. Interns on rotational assignments often work in capacities where they experience this conflict firsthand.

Increased Responsibility

When located in the field, most field interns are utilized immediately and are placed in positions of greater responsibility than they would have in Washington. Interns often fill vacancies due to federal hiring freezes, and as such, are expected to step right into the job, perform many tasks with a lot of responsibility, and maintain aggressive PMI and agency-related training and travel schedules. For example, the turnover rate in the acquisition career field is high and many times acquisition interns are learning on the job while filling a critical seat in the organization.

Regardless of the pressure, field interns should assist their managers and rise to the challenges presented to them in the field when filling the needs that vacancies inevitably create. After all, as future managers, you will face the same issues with increasingly limited resources. Deciding to train in the field is often based on a strong belief that in order to impact future public policy, a full understanding of how the field level works and its problems is crucial. The probability of a PMI obtaining future supervisory experience with higher responsibility is also enhanced in the field.

BEYOND THE PMI PROGRAM

Rotational Assignments

The highlight of the PMI program is rotational on-the-job training (OJT) assignments. As an intern, it is imperative that you are exposed to various management levels within an agency. You should attend higher level meetings, assist the agency in developing managerial problemsolving techniques, and understand the multifaceted issues confronting your agency. Depending upon your job series and agency, rotational assignments vary greatly.

It is safe to state that no individual internship is exactly the same. This is due mainly to the diverse needs and expectations of various agencies with differing missions and to the diversity of PMIs. Interns work to complement and help the agency achieve its goals. It is not unusual for PMIs to have cooperative interagency agreements where several agencies working on similar projects allow interns to crossover from agency to agency. The most common rotation is gaining departmental level experi-

ence by serving an agency in Washington and at the regional level in the field.

At times, it is difficult comparing yourself to other interns who have what are perceived as more glamorous rotational assignments. In certain federal agencies like the Office of Management and Budget or the State Department, rotational assignments may involve high-level policy decision analysis or exposure to international issues. Keep in mind the end result and the mission of your agency if your agency does not allow you to rotate. If you are learning and contributing to your agency, your experiences may be different from that of other interns, but not necessarily less valuable.

Generalist versus Specialist Training

When deciding which rotational assignments to take determine whether you are being trained as a generalist or as a specialist within a specific job classification series. Fully understanding this concept allows the intern to plan more effectively. For example, being trained as a contract negotiator in the 1102 job series demands highly specialized OJT and formal education in acquisition with a business base.

Management intern programs tend to promote more generalist training techniques. However, future success in some fields such as contracting is limited without specialized training. It is important to analyze what criteria are promoted in your agency and within your career field, and to obtain the appropriate expertise. No one can take this added edge away from you and it will make you a better manager to your agency in the long term.

You and your agency must develop a trust for future growth within specific career fields. To be well-rounded as a PMI, be aware of your position and exercise your options cautiously. If you are being trained solely as a generalist, search for opportunities to learn about more specialized areas within your assignment. Likewise, if you are limited by only specialized training, examine alternatives to keep your good "generalist" management skills fine-tuned throughout your specialized training.

The key to success is flexibility and adaptability. The learning process continues if your mind is open to alternatives. Overall, your success depends upon the quality OJT received from your coworkers and supervisors. Observe and adapt to differing conditions and management styles, because you will learn a lot in the process if you remain open and trust those at higher levels.

Organizational Structure

Most interns admire and respect their coworkers, supervisors, and managers. Grade level should not matter. At every level in the organization, excellence can be achieved. There are many unsung heroes. Those with the greatest amount of experience and time in federal service may not hold the higher positions. Often an observant intern will see that these same individuals support the foundation of the organizational structure. Without them, the mission would not be achieved.

Interns can learn a great deal by observing and examining how the various parts of their agency's organization support the whole. In order for the mission to be successfully accomplished, all must contribute the very best they can offer. An intern should perform in a manner that complements the work of others in the unit.

Upper Level Management Support

Executive level managers set the example and tone for the rest of the agency. Many members of the Senior Executive Service (SES) and high-level managers contribute valuable time and advice by serving as mentors for interns, as training program coordinators, and as PMI cluster group leaders. A cluster group is made up of about 30 PMIs. Outside of DC, PMIs are clustered by geographical region. Regardless of location, cluster groups help PMIs network and organize additional training and exposure to federal issues beyond the boundaries of one federal agency.

These managers' dedication, commitment to public service, and extra effort on behalf of intern training programs is commendable. Without SES and high-level management support and active involvement, the internship would not be as effective.

Unless upper management sets the tone for intern acceptance, quality training may not occur throughout the agency through rotational assignments. Cluster group leaders often are the critical link in an agency to coordinate innovative training opportunities and cluster group activities such as those advanced management development techniques conducted by the PMI Southern Cluster Group as NASA's Johnson Space Center.

Transitioning

Real learning will most likely occur after the intern has completed all rotational assignments and is actually performing on his or her job. Interns need to step back and examine their training. During the internship, rotational assignments expose you to short-term training assignments only. Analyze the total experiential learning process to gain a full understanding of your internship.

Once the internship is completed, most interns are hired by an agency and converted to a competitive position. Understand that experience can only be replaced with experience. For example, the high employee turnover rate in the contract negotiation career field means that many experienced negotiators governmentwide have been lost.

Education and training are important factors, but experience is as important when filling future permanent vacancies. Education can complement but never quite replace experience. This understanding is critically important because in most fields, common sense and a solid track record count.

Promotions

It is a mistake to assume higher grades will automatically be given to you after being converted to a permanent position. In fact, higher grades will never automatically be achieved. In most cases, interns are provided with training to work toward the position at their targeted grade level within a job classification series. The PMI screening process and agency interviews measured your potential to the GS-11 or 12 level, which is the journeyman/woman's level.

Unless you can prove to your superiors (in a competitive arena with your peers) that you can function at higher grades before promotion, you may not be in contention to go any higher. In other words, do not expect anything without hard work, long hours, and planning. The bottom line is you will only achieve what you are willing to put into the effort. A little luck at times may help, but do not count on it. Interns should look beyond to the next challenge ahead.

Future Planning

Look beyond the present and plan for the future. In fact, once you have an understanding of your agency's parameters, it is not premature to extend your personal planning for five years. Incremental planning is important in achieving long-range career goals.

It is vitally important to realize that your career depends upon your personal involvement and sacrifice. If you are honest about personal achievement, you should develop future career plans. Quick achievement of higher grades is not always a true indicator of success. Interns should also be seeking methods to acquire advanced knowledge in their selected career field. Keep current on where your agency is headed. Know who and what impacts your agency and programs. If you are not privy to higher level decisionmaking and policy, seek other avenues to educate yourself. Subscribe to trade and professional journals, General Accounting Office and Congressional Budget Office reports, and be genuinely interested in what happens to your project after it leaves your hands.

Advancement Through Training

Personally examine where and how you fit your agency's future plans. It is not up to the government to provide and finance your concept of professional self-development. If an intern or any employee waits to be handed education and training, his or her options for higher level positions become self-limiting. Keep in mind that at all times your career is up to you. Risk-taking is important to future success. All PMIs took a risk during the application screening, competition, and interview phases to enter the PMI programs. Adjusting to risk takes place everytime a PMI rotates to the next assignment.

A word of caution: do not get too comfortable in a particular job series. Seek out career growth opportunities even if it means additional risk. Keep your edge sharp with or without the support of your agency, because your future with your agency depends upon your motivation and drive to stay a valuable asset to that agency.

Rapid technological changes have made continuing adult education essential. In order to keep abreast of newly emerging systems, it is imperative that training become a necessary complement to the work performed on the job.

You must continue to apply what is learned in the classroom, blending theoretical and practical application to produce an integrated total learning experience beyond the PMI program. It is equally important to make certain there is a balance between developing good generalist management skills and fine tuning technical proficiency in specialized areas.

In the final analysis, developing yourself as a valuable asset and future federal manager involves risk-taking and sacrifice. The future will be challenging within the federal service, and the PMIs ready to adjust to its dynamic nature will be the future leaders of their federal agency. Be prepared to accept the challenges ahead.

CONCLUSION

The internship was one of my best life experiences. At times, it was a very difficult experience filled with the stress of learning a new, constantly changing career field within the large confines of federal bureaucracy. The acquisition career field continues to evolve, always presenting new and exciting challenges. It cannot be empha-

sized enough that becoming a PMI with an agency is only the very beginning. Many PMIs may feel just surviving the OPM screening process was an end. In fact, it is actually the end of a new beginning. My fellow 1986 interns and I have ended one phase of our careers and are starting another as permanent federal employees.

My observations and experiences are intended to further the goals and aspirations of new interns who are just starting federal careers. I have found you will only get out of this special experience what you put into it! Make your two or three years count by building a solid foundation. Be willing to go beyond and challenge yourself because federal service demands excellence.

IN MEMORY OF A MAN OF RECONCILIATION: JEAN-MARIE TJIBAOU OF NEW CALEDONIA

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. LAGOMARSINO. Mr. Speaker, I was saddened to hear of the assassination of Jean-Marie Tjibaou of New Caledonia on May 4, 1989. A former priest, Tjibaou was the key leader who advanced the resolution on the decades old self-determination struggle of the people of New Caledonia by signing a peace agreement last year with French Prime Minister Michel Rocard. While violence was advocated by militant separatists as a means to achieve independence from France, Mr. Tjibaou used diplomacy, dialog and the political process to gain recognition of the political aspirations of his followers. He was considered to be the only leader who could reconcile the often strident and divergent views of the proindependence factions.

New Caledonia is a French overseas territory comprising a large island group to the east of Australia and populated by two principal groups: the Kanaks or indigenous people and settlers from France, Asia, and other Pacific islands. The Kanaks comprise less than 50 percent of the population and are divided according to political status preference. A majority of the indigenous people want some form of sovereignty while the rest favor continued association with metropolitan France.

Jean-Marie Tjibaou was the most respected and well-known separatist leader in New Caledonia who sought change by engaging in the political process, while others openly urged war with France. In spite of the status-related death of his brothers some years ago, Tjibaou continued his peaceful activism and tolerance of militant separatists and anti-independence radicals. Tjibaou recognized, but did not agree with the preference of those of his fellow islanders who advocated for continued association with metropolitan France. Both he and pro-France Kanak leaders acknowledged the importance of openly discussing their views if a solution to the self-determination problem were to be realized.

On September 30, 1986, I hosted a conference at the Capitol entitled "Oceania at a Crossroad: Strategic Consideration for the Western Alliance." The speakers included

Jean-Marie Tjibaou, president of the Kanak Liberation Front, Dick Ukeiwe, President of the territory assembly and leader of the pro-France coalition and Gaston Flosse, President of French Polynesia and Secretary of State for South Pacific Affairs. I believe this may have been the first time that these South Pacific leaders, who were proponents of different status relations with France, spoke together in an international forum relating to this emotionally and politically-charged issue.

At the time, I questioned the effectiveness of a conference which would likely involve the volatile issue of French Pacific territories. However, I believed a real benefit existed in having these prominent Pacific leaders air their different political philosophies in a neutral forum.

The highlight of the conference was the powerful oratory of the French Pacific territorial speakers. They were eloquent and emphatic of their views, yet in a most respectful way. Perhaps in part, because they were speaking here, at the world's foremost democratic institution.

I was most pleased last year to hear of the signing of the peace agreement, or Matignon accords, between the French Government, Jean-Marie Tjibaou, and pro-French leader, Jacques Lafleur. The accords provided for increased self-government for the people of New Caledonia during a 10-year transitional period. France also agreed to a referendum on independence at the end of the transition. It appeared that the consummation of a self-determination process would end the often violent struggle for New Caledonia's political identity.

Tjibaou knew that resolving New Caledonia's political status through an agreement which reflected the consensus views of all Kanaks and actually provided for measureable progress would best serve the welfare of the people. His signing of the peace accords with the anti-independence leader and the Prime Minister of France marks the most important event in the islands' self-determination evolution.

What a shame that Jean-Marie Tjibaou lost his life at the hand of a militant separatist who shared the same ultimate political status objective but disagreed as to the means. Unfortunately, many would not accept that peace and reconciliation could deliver what war and belligerence had not.

Prime Minister Rocard of France, upon hearing of Tjibaou's death stated, "The Kanak community loses a generous leader, New Caledonia a man of reconciliation, and I lose a friend." I believe the entire Pacific community, of which the United States is part, has suffered a great loss. However, it is my hope that we remember Jean-Marie Tjibaou's achievements through reconciliation and his active peaceful engagement in the democratic political process.

I join with those who hope that all factions in New Caledonia will move forward with the Matignon plan as a fitting tribute and memorial to the vision of Jean-Marie Tjibaou.

CUT OFF AID TO THE AFGHAN REBELS

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. EDWARDS of California. Mr. Speaker, I would like to call to the attention of my colleagues an article written by Congressman ANTHONY BEILENSEN, which appeared in the New York Times on May 22.

As the gentleman from California points out, the original goal of United States aid to the Afghan rebels was to force the withdrawal of Soviet troops from Afghanistan. Now that that goal has been accomplished, the Bush administration should use this opportunity to negotiate an agreement with the Soviet Union on a cutoff of all aid to Afghanistan.

Continued aid to the rebels incorrectly sends the message that the United States is interested in intervening in the internal affairs of Afghanistan. This is certainly not our policy, and bringing an end to United States aid to Afghanistan would make that clear.

I would like to insert Mr. BEILENSEN's article in the RECORD, and I commend it to the attention of my colleagues.

END AID TO THE AFGHAN REBELS

(By Anthony C. Beilenson)

WASHINGTON.—The Bush Administration missed an important opportunity to bring an end to U.S. involvement in Afghanistan when Secretary of State James Baker failed to pursue the subject during his visit to Moscow last week.

Supplying military aid to the Afghan rebels is no longer in our interest now that the Soviets have withdrawn. If the Bush Administration won't cut off this aid then Congress must do it for the Administration.

The United States' original goal in arming the mujahedeen was crystal-clear: The Soviet Union had invaded this nonaligned, fiercely independent country, and we wanted to help the indigenous resistance forces oust the occupying army.

It was an instance where American intervention in the affairs of another nation was clearly the right thing to do.

To the surprise of many in the international community, our intervention worked. Ten years after the Soviet Army occupied Kabul, it troops have retreated across the northern border—a significant victory for the Afghan people and the United States.

But now that we have achieved our goal, we ought to get out of Afghanistan before our foreign policy success turns into a disaster.

By continuing to send weapons to the rebels, we are risking all the benefits we have gained, since the Afghans are beginning to turn their anger—once directed at the Soviets—toward the U.S. for helping to prolong the war and the killing in this war-weary nation.

Our continued intervention raises questions about who we are supporting, and why. The resistance has never been a unified political movement but rather a loose coalition of at least seven separate factions that often are paralyzed by infighting and squabbling.

By providing aid selectively to the bickering factions, the U.S. is undermining the rebels' struggling efforts to forge a consensus in military or political strategy—and

stirring up a lot of anti-American sentiment in the process.

Moreover, some of the largest and best equipped factions are made up of Islamic fundamentalists whose goals for a new Afghanistan are in stark contrast with our own.

We may have been willing to ignore the ideology of the rebels while they were fighting the Soviets, but now that they are fighting only their own countrymen and are trying to form a new post-occupation government as well, we face an entirely different situation that demands a cutoff of our military aid.

Even if we were supporting factions that were clearly aligned with the U.S., it was never our goal to install a pro-American client government. Ultimately, of course, the U.S. would like to see a broad-based popular government in Kabul, with prospects for long-term stability and a friendly view toward American interests in southwest Asia. But we have no business telling the Afghans what kind of government they should establish.

Of course, U.S. aid to the mujahedeen is not the only issue. Soviet military support for President Najibullah's regime is also a serious obstacle to Afghan self-determination. Yet the Bush Administration remains unwilling to negotiate with the Soviets for a mutual cutoff of all military aid to Afghanistan.

So far, U.S. support for the resistance has been especially popular in Congress. But as the American people begin to realize that we are now mired in another country's messy, protracted civil war and are sending weapons to Islamic fundamentalists, Congressional support will certainly erode.

Before that happens, the Administration would be wise to seize the moment and announce a new U.S. proposal for an American-Soviet hands-off policy in Afghanistan.

Military aid to the rebels was morally defensible and wisely supported by the international community.

It has been a success. Now let's take satisfaction in our achievement and gracefully retire, leaving the task of building a new government to the Afghan people.

ISRAEL'S PEACE PLAN IS A POSITIVE STEP

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. LEHMAN of Florida. Mr. Speaker, let us hope that the Palestinians will finally realize that the time has come to work constructively toward a peaceful settlement with Israel. The Palestinians living in the West Bank and Gaza have much to gain from taking steps which will lead to a permanent solution.

Like the autonomy plan offered in the historic Camp David accords, Israel's offer of democratic elections in the West Bank and Gaza may not offer everything the Palestinians want. Elections, however, would give them a political opportunity to build, to have a voice in their own future, and to prove to the world that they are politically mature enough to emerge from the limiting physical expression of the intifada to claiming a serious, constructive role as a partner for peace. There is in-

creasing skepticism about the ability of the Palestinians and their supporters to fashion an acceptable leadership that can make any serious progress toward serving their interests. That skepticism will only be reinforced if the Palestinians reject the offer Israel has made.

For some time, the PLO has not represented the true interests of the Palestinians in the West Bank and Gaza. The inability to go beyond talk and public relations is a self-defeating tactic, not a strategy to achieve success. The recent example of seeking admittance to the World Health Organization does not inspire confidence in its leadership. If willing, the PLO could allow Palestinians the freedom to elect representatives to conduct meaningful peace negotiations.

Maximalist in all PLO responses to peace offers, the Palestinians are today paying the price of abandonment by so-called supporters. Now is the time for the Palestinians to look out for their future while there is still opportunity to do so. Elections are a way to start the process and build an infrastructure that can lead to more gains. Involvement must come before self-rule is possible. A transition period without violence is a necessary step toward a negotiated permanent solution. The sooner it starts, the better.

Mr. Speaker, I would like to insert into the RECORD the principles of Israel's peace initiative.

A PEACE INITIATIVE BY THE GOVERNMENT OF ISRAEL GENERAL

1. This document presents the principles of a political initiative of the Government of Israel which deals with the continuation of the peace process; the termination of the state of war with the Arab states; a solution for the Judea, Samaria and the Gaza district; peace with Jordan; and a resolution of the problem of the residents of the refugee camps in Judea, Samaria and the Gaza district.

2. The document includes:

A. The principles upon which the initiative is based.

B. Details of the processes for its implementation.

C. Reference to the subject of the elections under consideration. Further details relating to the elections as well as other subjects of the initiative will be dealt with separately.

BASIC PREMISES

3. The initiative is founded upon the assumption that there is a national consensus for it on the basis of the basic guidelines of the Government of Israel, including the following points:

A. Israel yearns for peace and the continuation of the political process by means of direct negotiations based on the principles of the Camp David accords.

A. Israel opposes the establishment of an additional Palestinian state in the Gaza district and in the area between Israel and Jordan.

B. Israel will not conduct negotiations with the PLO.

C. There will be no change in the status of Judea, Samaria and Gaza other than in accordance with the basic guidelines of the government.

SUBJECTS TO BE DEALT WITH IN THE PEACE PROCESS

4. Israel views as important that the peace between Israel and Egypt, based on the

Camp David accords, will serve as a cornerstone for enlarging the circle of peace in the region, and calls for a common endeavor for the strengthening of the peace and its extension, through continued consultation.

A. Israel calls for the establishment of peace relations between it and those Arab states which still maintain a state of war with it, for the purpose of promoting a comprehensive settlement for the Arab-Israel conflict, including recognition, direct negotiations, ending the boycott, diplomatic relations, cessation of hostile activity in international institutions or forums and regional and bilateral cooperation.

B. Israel calls for an international endeavor to resolve the problem of the residents of the Arab refugee camps in Judea, Samaria and the Gaza district in order to improve their living conditions and to rehabilitate them. Israel is prepared to be a partner in this endeavor.

C. In order to advance the political negotiation process leading to peace, Israel proposes free and democratic elections among the Palestinian Arab inhabitants of Judea, Samaria and the Gaza district in an atmosphere devoid of violence, threats and terror. In these elections a representation will be chosen to conduct negotiations for a transitional period of self-rule. This period will constitute a test for coexistence and cooperation. At a later stage, negotiations will be conducted for a permanent solution, during which all the proposed options for an agreed settlement will be examined, and peace between Israel and Jordan will be achieved.

D. All the above mentioned steps should be dealt with simultaneously.

E. The details of what has been mentioned in (D) above will be given below.

THE PRINCIPLES CONSTITUTING THE INITIATIVE Stages:

5. The initiative is based on two stages:
A. Stage A—A transitional period for an interim agreement.

B. Stage B—Permanent solution.
6. The interlock between the stages is a timetable on which the plan is built; the peace process delineated by the initiative is based on resolutions 242 and 338, upon which the Camp David accords are founded.

Timetable:
7. The transitional period will continue for five years.

8. As soon as possible, but not later than the third year after the beginning of the transitional period, negotiations for achieving a permanent solution will begin.

PARTIES PARTICIPATING IN THE NEGOTIATIONS IN BOTH STAGES

9. The parties participating in the negotiations for the first stage (the interim agreement) shall include Israel and the elected representation of the Palestinian Arab inhabitants of Judea, Samaria and the Gaza district. Jordan and Egypt will be invited to participate in these negotiations if they so desire.

10. The parties participating in the negotiations for the second stage (permanent solution) shall include Israel and the elected representation of the Palestinian Arab inhabitants of Judea, Samaria and the Gaza district, as well as Jordan; furthermore, Egypt may participate in these negotiations. In negotiations between Israel and Jordan, in which the elected representation of the Palestinian Arab inhabitants of Judea, Samaria and the Gaza district will participate, the peace treaty between Israel and Jordan will be concluded.

Substance of the transitional period:

11. During the transitional period the Palestinian Arab inhabitants of Judea, Samaria and the Gaza district will be accorded self-rule, by means of which they will, themselves, conduct their affairs of daily life. Israel will continue to be responsible for security, foreign affairs and all matters concerning Israeli citizens in Judea, Samaria and the Gaza district. Topics involving the implementation of the plan for self-rule will be considered and decided within the framework of the negotiations for an interim agreement.

Substance of the permanent solution:

12. In the negotiations for a permanent solution, every party shall be entitled to present for discussion all the subjects it may wish to raise.

13. The aim of the negotiations should be:
A. The achievement of a permanent solution acceptable to the negotiating parties.

B. The arrangements for peace and borders between Israel and Jordan.

DETAILS OF THE PROCESS FOR THE IMPLEMENTATION OF THE INITIATIVE

14. First and foremost, dialogue and basic agreement by the Palestinian Arab inhabitants of Judea, Samaria and the Gaza district, as well as Egypt and Jordan if they wish to take part, as above mentioned, in the negotiations on the principles constituting the initiative.

15. A. Immediately afterwards will follow the stage of preparations and implementation of the election process in which a representation of the Palestinian Arab inhabitants of Judea, Samaria and Gaza will be elected. This representation:

I. Shall be a partner to the conduct of negotiations for the transitional period (interim agreement).

II. Shall constitute the self-governing authority in the course of the transitional period.

III. Shall be the central Palestinian component, subject to agreement after three years, in the negotiations for the permanent solution.

B. In the period of the preparations and implementation there shall be a calming of the violence in Judea, Samaria and the Gaza district.

16. As to the substance of the elections, it is recommended that a proposal of regional elections be adopted, the details of which shall be determined in further discussions.

17. Every Palestinian Arab residing in Judea, Samaria and the Gaza district, who shall be elected by the inhabitants to represent them—after having submitted his candidacy in accordance with the detailed document which shall determine the subject of the elections—may be a legitimate participant in the conduct of negotiations with Israel.

18. The elections shall be free, democratic and secret.

19. Immediately after the election of the Palestinian representation, negotiations shall be conducted with it on an interim agreement for a transitional period which shall continue for five years, as mentioned above. In these negotiations, the parties shall determine all the subjects relating to the substance to the self-rule and the arrangements necessary for its implementation.

20. As soon as possible, but not later than the third year after the establishment of the self-rule, negotiations for a permanent solution shall begin. During the whole period of these negotiations until the sign-

ing of the agreement for a permanent solution, the self-rule shall continue in effect as determined in the negotiations for an interim agreement.

INGLEWOOD: THE ALL-AMERICA CITY

HON. JULIAN C. DIXON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. DIXON. Mr. Speaker, hats off to the city of Inglewood. Last year it was the home of basketball's world champions, the Lakers. And now, it has just been named a 1989 All-America City by the National Civil League. Congratulations to Mayor Ed Vincent, the city council, and all the people of Inglewood. I am privileged to have parts of Inglewood in my congressional district.

There are many reasons why Inglewood deserves the All-America City honor. Its educational, health care, and sports facilities are first-rate. It is an ethnically diverse city—blacks, whites, Hispanics, and Asians—with good, harmonious relations between the various groups.

But perhaps most important, the people of Inglewood care about their city and show it through community activism and civic participation. Whether on the school board, in neighborhood or professional groups, in churches, or as members of the Laker organization, Inglewood's residents give of themselves to make their community a better place to live. I am glad to see this recognized nationwide. Inglewood is indeed an All-America City.

Inglewood has gained its reputation by organizing people, programs, and resources to tackle the tough problems of drug abuse and gang violence.

The city last year initiated a Drug Abuse Resistance Education [DARE] Program designed to develop positive self esteem and values that will enable youngsters to resist the peer pressures to take drugs or join gangs. Every public school in Inglewood is participating in this program. Almost 3,000 students have completed it—according to city officials, not one has yet been in trouble with the law.

Impetus for the DARE Program came not from outside the city but from grassroots activism within the community. Civic groups, including the Inglewood Coalition Against Drugs, organized a walk-a-thon to promote the program. Hundreds of volunteers, joined by Laker team members, turned the walk-a-thon into a successful fundraising and public education event. The community has shown that it is united to fight the scourge of drugs at the most basic level—with our youngsters.

But the people of Inglewood also know that it is not enough to educate only students. The entire community must also be educated. That is why the city drew on both public and private resources to create the antidrug advertising project—a program to publicize the police department's successful "reverse sting" operations against drug sales. This program, which has attracted nationwide attention and massive local support, was designed to intimidate potential drug buyers and show what the city was doing against drugs. It has had the de-

EXTENSIONS OF REMARKS

sired effect on drug sales: drug arrests dropped 30 percent during the 3 main months of the campaign, and more than 20 percent for the rest of the year.

The citizens of Inglewood have also put their money behind their community needs. City residents overwhelmingly voted to levy a new tax on themselves to fund a special 20 police officer crime suppression unit. Support for this initiative came from a broad coalition of community groups, educators, business leaders, and law enforcement officials—known as the Inglewood Coalition for Police Support. Meetings, hearings, and an aggressive public information campaign brought home the need for this unit, and the public responded by passing the measure with a 78-percent margin, making Inglewood the first assessment district in the State of California to finance police services.

The city has established many other programs that place it at the cutting edge of urban American living. For example, it has dealt with noise pollution from the LAX Airport by helping families relocate to quieter areas and redeveloping residential areas near LAX into commercial and industrial use.

Mr. Speaker, the people of Inglewood have shown that citizen action and civic pride are indispensable building blocks for a better community and quality of life. Inglewood was 1 of only 10 cities chosen for the All-America City honor out of 109 that applied. A better choice could not have been made. Congratulations again to the people of Inglewood.

NOVA HIGH SCHOOL—AN OUTSTANDING SCHOOL

HON. LAWRENCE J. SMITH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. SMITH of Florida. Mr. Speaker, I would like to bring to your attention a school of national excellence—Nova High School of Davie, FL.

It is my privilege to announce that Nova High School, located in my district, was recently chosen by the U.S. Department of Education as one of the 218 outstanding secondary schools in the Nation.

The U.S. Department of Education, through its School Recognition Program, identified a diverse group of outstanding public and private secondary schools throughout the Nation that are unusually effective in educating their students with the resources available to them. A total of 629 schools were nominated for this prestigious honor, from which 263 were chosen for onsite visits by a departmental review panel. Among the many criteria used in making the final decision was student achievement, teaching environment, learning environment, parent and community involvement, institutional vitality, leadership, geography, and curriculum reform, with emphasis this past year on the latter two. It was only after this intensive review process was complete that the final 218 schools were selected.

As a tribute to their excellence and achievement, Nova High School will receive a ceremonial plaque and a flag of excellence. In ad-

dition, three representatives from Nova will be invited to attend a national recognition ceremony in Washington this fall. As worthwhile as these rewards are, the true reward is the pride that the faculty, the students, the parents, and the community at large can take from this great honor. In a day where our educational system is often attacked and ridiculed, it is very gratifying for me, as a Congressman and as a parent, to see young men and women who are willing to work very hard to excel in their scholastic endeavors.

I ask my colleagues to join me in paying tribute to the many wonderful people who made this honor possible. My sincerest congratulations to the students and faculty of Nova High School.

A TRIBUTE TO ANDROS "ANDY" KAPEROS

HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. FAZIO. Mr. Speaker, I rise today to salute a dear friend of mine, Andros "Andy" Karperos, who will retire as the superintendent of the Yuba City Unified School District on July 1, 1989, after 35 years of distinguished public service.

Andy has served his country, community, and profession in an exemplary fashion. He served in the U.S. Army from 1943 through 1946, and fought in the Battle of the Bulge during World War II. After the war, he worked as a cartographic photogrammetrist with the U.S. Geological Survey and as an assessor in Solano County, CA.

In 1954, he began his distinguished career as an educator, working first as a teacher with the Dixon, CA, Unified School District. Andy and his family, in 1960, moved to Yuba City, CA, where they have lived ever since. Andy started as a school principal in Yuba City, but 3 years later he became a district superintendent for the Lincoln Elementary School District. In 1966, he was promoted to director of special services for the Yuba City Unified School District, and in 1972 took the helm as superintendent of the district for the next 17 years.

All told, Andy has been an outstanding school administrator for over 29 years. Under his direction and leadership, the Yuba City School District has grown to become a model for our State.

Many know Andy for those outstanding accomplishments, but I also know Andy for his deep commitment to his family. I have been fortunate to have Andy's wife Ann on my staff for the past 9 years. Ann is a true professional and a valuable asset to my staff. I have been with the Karperos family through the marriages of their children Nina, Nan, and Kurt and the births of their grandchildren. I've seen Andy's strength, compassion, and commitment in each member of his family. Among his many accomplishments there is none greater than Andy's success with instilling those remarkable characteristics to his children and our future.

Andy has also shown deep commitment to the Yuba City/Marysville Community. He is an

active member of St. John's Episcopal Church, a past chairman of the Association of California School Administrators Legislative Action Committee, a past member of the Yuba City Recreation Commission. After his retirement, Andy plans to stay active in the community. As the son of immigrants, he intends to spend much of his time helping newcomers to America assimilate into our society through teaching citizenship classes.

All students, teachers, and educators in all capacities have benefited from his unique talents and hard work. The high degree of loyalty, dedication, and professionalism Andy has shown throughout his career will be missed by all who have had the opportunity to work with him. With respect and admiration, I congratulate Andy on his retirement and extend my best wishes for the future to him and his family.

IN HONOR OF THE ANNUAL CALL TO CONSCIENCE VIGIL

HON. NORMAN F. LENT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. LENT. Mr. Speaker, I would like to thank my distinguished colleagues, Congressmen PETER KOSTMAYER from Pennsylvania and JOHN MILLER from Washington, for organizing this year's Congressional Call to Conscience Vigil for Soviet Jewry.

The annual call to conscience vigil has roused support in Congress and around the world for the noble cause of human rights and religious freedom for Soviet Jews and other oppressed people. This is an opportunity to raise people's consciousness and urge them to become involved. During the vigil, participants can express our solidarity with the brave men and women who must struggle daily for the right to practice their religion freely and live in the land of their choice.

Finally, after many years of hard work, our efforts are paying off. In 1986, nearly 20,000 Soviet Jews were permitted to leave the Soviet Union. This year, emigration figures are expected to rise even higher, perhaps to 30,000. I am proud that my own adopted refusenik family, the Kazakevich family from Leningrad, recently received permission and should be emigrating for Israel any day. However, we should not lose sight of the fact that over 7,000 long-term refuseniks are denied permission for arbitrary reasons. That the number of "poor relatives" grows every day—those who cannot even apply because a family member claims financial hold over them. That people are denied visas for vague reasons such as "state secrets" or because a family member may have knowledge of "state secrets."

Furthermore, the vigil focuses attention on the debate in Congress of how the United States Government should respond to Soviet progress on emigration and human rights. What is appropriate? Should we ease trade restrictions, such as the Jackson-Vanik and Stevenson amendments, or waive them entirely?

The Long Island Committee for Soviet Jewry [LICSJ], a member of the Union of

Councils, has presented a thoughtful, carefully prepared position paper on this issue. If I may quote, "Mr. Gorbachev's first tentative steps towards freedom for many Soviet Jews do deserve positive rewards from the West. But those rewards must—first and foremost—be calibrated to encourage even greater leaps toward freedom for all Soviet Jews."

To refresh our memories, the Jackson-Vanik amendment denies most favored nation [MFN] status to nations that prohibit free emigration. The Stevenson amendment restricts the level of export-import credits available to the U.S.S.R. The LICSJ supports a repeal of the Stevenson amendment only after the Soviet Union has fulfilled these criteria:

First, sustained annual emigration of between 30,000 to 35,000 Soviet Jews;

Second, emigration for all long-term refuseniks; and

Third, institutional reforms of human rights and emigration laws, such as removing family reunification requirements for applying to emigrate.

Further, the LICSJ contends that a 1-year waiver of the Jackson-Vanik amendment should be predicated only on the "high and sustained" annual level of emigration as the legislative history requires. Congress must then vote to extend the waiver.

As Congress considers these important issues in the days ahead, we must not lose sight of our singular purpose: To achieve human rights and free emigration for Soviet Jews and all those who suffer religious persecution. A new era is emerging in the cause of human rights, and we must seize this window of opportunity before it shuts forever. However, we should be careful not to be blinded by rosy promises nor bullied by knee-jerk extremists for the lives of thousands of people will be affected by the action Congress may take. That's an awesome responsibility, and I hope Congress will afford this important issue the careful debate and consideration it deserves. I appreciate the opportunity to participate in this year's vigil and to bring to my colleagues' attention this critically important issue.

HUMAN RIGHTS POTENTIAL AT PARIS HUMAN DIMENSION MEETING

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. HOYER. Mr. Speaker, on May 30, 1989, the 35 signatory nations to the Conference on Security and Cooperation in Europe will convene the first of three Conferences on the Human Dimension in Paris. The Paris meeting, and subsequent meetings in Copenhagen in 1990 and Moscow in 1991, are mandated to review the implementation of the human rights, human contacts, and other humanitarian provisions of the Helsinki Final Act and of the Madrid and Vienna Concluding Documents. This review, I believe, is one of the most important functions of the CSCE meetings in that it calls participating States to account for violating their CSCE commitments.

The U.S. delegation to the Paris meeting will be headed by Morris Abram, former chair-

man of the Conference of Presidents of Major Jewish Organizations, and the National Conference on Soviet Jewry. Public members, who will play a critical role in our delegation include, former Helsinki monitor, Ludmilla Alexeyeva; prominent Philadelphia attorney, John Elliott; Alice Henkin, vice chairperson of Helsinki Watch; and Frank Koszorus, a member of the International Human Rights Law Group.

Mr. Speaker, as cochairman of the Commission on Security and Cooperation in Europe, I will travel to Paris, along with the Commission's Chairman, Senator DENNIS DECONCINI, for the opening of the meeting. I believe that the United States has an historic opportunity to press for continued progress in the human rights field. We would all agree that drastic changes are underway in the Soviet Union, Hungary, and Poland—changes that even a year or two ago would have almost been unheard of. Yet while recognizing that changes have occurred, we must continue to press for a thorough review and full implementation of the commitments that these countries have undertaken.

In Bulgaria, we will stress the continued refusal of officials to allow the practice of the Islamic religion and its categorical denial of the existence of the repressed 900,000-member Turkish minority.

In Czechoslovakia, while we note the recent release of internationally renowned playwright Vaclav Havel and long-time prisoner of conscience Jiri Wolf, we will concentrate on the ongoing harassments, detentions, confiscations of property, and interrogations by Czechoslovak officials of citizens seeking to exercise basic human rights. A marked increase in public demonstrations and religious activism reflects the Czechoslovak people's aspirations to realize fully these rights.

In Hungary, which I visited in April, we acknowledge continued progress in the areas of human rights and human contacts and hope that the transition to a multiparty system will maintain its momentum. Yet we recognize that much remains to be done in an institutionalized fashion to ensure that all Hungarian citizens can participate fully in political life and exercise their rights without fear of future sanctions or reprisals.

For the first time, the Polish Government has granted the Roman Catholic Church legal status. Parliamentary elections in that country are scheduled for June 4 and June 18. Solidarity has been relegalized. A meeting between Lech Walesa, and the leader who jailed him, Wojciech Jaruzelski, was a good indication that the Government and the opposition can come to terms in the hope of salvaging the economy. We need to encourage greater participation by opposition groups in government, as well as to monitor the election process carefully.

We must continue to hold Romania accountable for its myriad human rights violations, despite its protests that it is not bound to implement commitments it undertook freely. Baptist activist Nestor Corneliu Popescu remains incarcerated in a psychiatric institution. The six former Communist leaders who signed a courageous open appeal earlier this year calling on the Romanian regime to implement

more humane policies remain isolated subject to interrogation, house arrest, and internal exile.

In the Soviet Union, known outstanding human contacts cases have decreased significantly from over 600, the number which the Helsinki Commission presented to Soviet authorities in November, to 52 at this time. The current consolidated Helsinki Commission—State Department lists also has decreased, now totaling approximately 600 families. Let us hope that such names as Emmanuel and Judith Lurie, Natasha and Leonid Stonov, Igor and Inna Uspensky, and Anatoly Genis are soon removed from these lists, and indeed, that there will be no further need for lists at all.

We are concerned that at least 20 people have been killed in Soviet Georgia, where on April 9, peaceful demonstrations and hunger strikers in Tbilisi were dispersed by troops using sharpened shovels and poison gas. Almost all the members of the Karabakh Committee remain incarcerated, and awaiting trial, bringing the total of people, according to Commission records, now confined in prisons or psychiatric institutions in the Soviet Union to 142.

Last week, three Ukrainian Catholic bishops and three priests, including Bishop Pavlo Vasylyk and Father Hryhory Simkailo, whom I met in November, began a hunger strike to call for the legalization of the Ukrainian Catholic Church.

We would hope that those citizens who are granted the right to leave the Soviet Union for a visit are properly treated upon their return. Specifically, we have learned that Emmanuel Zingeris, the elected president of the Lithuanian Jewish Cultural Society, was detained upon his return to the Soviet Union from a visit to the United States. While detained, Zingeris was interrogated and several items were confiscated by these authorities, including Jewish cultural material. In another incident 19 members of a 23-person Latvian Popular Front delegation, upon their return after a 1-month visit to the United States and Canada, had documents, personal computers, and telephones confiscated by Soviet officials in Moscow on April 30. Let us hope that these incidents do not become the norm for citizens returning from visits abroad.

Finally, problems with individuals receiving visas to come to the United States for visits, such as Dr. Juris Vidins, who was denied a visa to come to the United States to attend the American Latvian Association meeting in early May, must be made routine and the visa process institutionalized. In addition, American citizens traveling to the Soviet Union should not encounter problems such as undue delays in visa processing or, in the case of Lithuanian-American physician Dr. Peter Kisielius, once arriving in the Soviet Union, facing detentions by Soviet officials, and being told that they should not have received a visa in the first place.

Mr. Speaker, I look forward to the opening of the Paris meeting and the potential for progress that it holds for the citizens of all CSCE states. I do not want to end, Mr. Speaker, without adding that the United States is ready to discuss its own record as well. Implementation of the Helsinki Final Act and the

Madrid and Vienna Concluding Documents is a continuous process. None of the 35 participating states are in total compliance with each and every provision of these unique political agreements. There will always be room for improvement, varying in degree and subject from country to country. The Western countries, and in particular, the United States, are under no less obligation to improve than other countries.

However, what one gleans from the public and private agencies in the United States who monitor year-round domestic policies, I believe, is a consistent striving for improvement. It is in that spirit that I hope all 35 states will discuss human rights at this very important meeting.

NEW JERSEY PRIDE HONOR ROLL

HON. DEAN A. GALLO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. GALLO. Mr. Speaker, as a Member of Congress, I have the great privilege of working with New Jersey citizens who care about their State and who are always willing to go the extra mile to promote cooperative projects within the community.

One individual who is definitely a member of my New Jersey Pride Honor Roll is Herman Simonse, the recent recipient of the New Jersey Chapter NAIOP Individual Achievement Award for contributions to the industry and community.

The award, which is the most prestigious individual award offered by the State NAIOP, recognizes an individual in the development industry who has distinguished himself through extraordinary achievement in civic activities and contributions to the progress of the industry.

In 1984, Mr. Simonse was honored with the Eagle Award from the New Jersey Alliance for Action, a statewide coalition of more than 500 business, labor, and government organizations dedicated to solving our common problems through cooperation.

He has also received the Humanitarian Brotherhood Award from the National Conference of Christians and Jews.

As the current chairman of the Alliance for Action, he plays a key role in one of the most important efforts underway in New Jersey—promoting cooperation among labor, business, government, and citizens for projects that improve New Jersey's quality of life through economic progress and the creation of new employment opportunities.

Mr. Simonse is an active member of the Midland School Foundation, is a commissioner of the Somerset County Park Commission, and was appointed by New Jersey Gov. Thomas H. Kean to serve on the Governor's Port Authority Advisory Committee.

As associate professor of economics at Morris County College, Mr. Simonse holds degrees in economics and business administration from Rutgers University and Fairleigh Dickinson University.

He is executive vice president of the Bellemead Development Corp., of Roseland, NJ.

Mr. Speaker, on behalf of the people of New Jersey and the 11th District, I ask for your recognition for the accomplishments of Mr. Herman Simonse, a member of my New Jersey Pride Honor Roll.

CONGRESSIONAL SALUTE TO DANIEL L. MARCANTUONO, PASSAIC'S UNICO'S "MAN OF THE YEAR"

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. ROE. Mr. Speaker, it is with great pride that I rise today to salute a truly outstanding individual from my home State of New Jersey whose civic efforts on behalf of his community and whose dedicated professional efforts to assure the economic viability of major health care institutions in his State have truly made New Jersey a far better place to live.

I am speaking of Daniel L. Marcantuono, president and chief executive officer of the General Hospital Center at Passaic, NJ, who, for nearly two decades, has worked ceaselessly to guard and improve the financial stability of major health care institutions throughout the State of New Jersey.

Mr. Speaker, for his numerous personal and professional efforts, Mr. Marcantuono will be honored on Friday, June 2, 1989, as Man of the Year by the Passaic Chapter of Unico at the chapter's 40th annual dinner dance at the Princess in Lodi, NJ. I cannot think of anyone more deserving of this great honor, and I know that in receiving this award Daniel L. Marcantuono will bring great pride to his family, his lovely wife, Joanne, and his devoted children, David, Lisa, and Cheryl Marcantuono. I know, too, that this event will be an outstanding affair because of the tireless efforts of Unico president Anthony Catanzaro to make this dinner a great success.

Mr. Speaker, Daniel L. Marcantuono, who resides in Sparta, NJ, is eminently qualified for the important work he has undertaken. He received his B.S. degree from Seton Hall University in 1963 and earned his M.B.A. at George Washington University 3 years later. He did his administrative residency at Perth Amboy General Hospital in Perth Amboy, NJ, and has taken additional studies toward his doctorate at Temple University in Philadelphia, PA.

Daniel Marcantuono began his career as a planning associate with the Hospital and Health Council of Metropolitan New Jersey where he was responsible for reviewing more than \$25 million worth of proposed hospital construction projects. It was while he was with the council that he founded and organized the Central Services Corp. of Metropolitan New Jersey, a nonprofit company of 14 hospitals organized to initiate a variety of shared services.

In 1970, he became assistant director of field services for the Health Facilities Planning Council for New Jersey, and his work with this organization resulted in the creation of an in-

novative method for the allocation of hospital beds to specific geographical areas as a means of improving the effectiveness and economy of health facilities in the State of New Jersey.

Mr. Speaker, from 1971-79, Daniel L. Marcantuono served as senior vice president in charge of operations for Cooper Medical Center in Camden, NJ, where he was responsible for the day-to-day operations of the 350-bed facility. He left that institution in 1979 to become first vice president of St. Michael's Medical Center in Newark, where he was responsible for the day-to-day operations of a 456-bed acute care medical center with a \$32 million annual budget. Through his innovative style, he created and implemented systems that maximized the institution's fiscal responsibilities, effecting a 67 percent reduction in the number of incomplete charts to substantially enhance the center's cash flow.

In 1979, he joined St. James Hospital in Newark and in 1982 was named its president and chief executive officer. Again, through innovation and dedication to his work, Daniel L. Marcantuono was successful in reversing the institution's deficit financial status, making it a profitable operation while reestablishing the hospital as the community's Catholic health resource.

Mr. Speaker, Daniel L. Marcantuono's outstanding track record led to his being chosen from a group of more than 200 applicants for the position of president and chief executive officer of the General Hospital Center at Passaic. The newly renovated facility has been a part of the community since the turn of the century and today, a completely rebuilt institution, it stands as a towering landmark. Under Mr. Marcantuono's strong leadership and guidance, this outstanding facility has earned an enviable reputation in its cardiology department with more than 600 cardiac surgeries and 1,500 diagnostic catheterizations in 1988. The Eastern Heart Institute which Daniel L. Marcantuono established serves as a regional heart center with complete cardiac and support services. And a new, neonatal intensive care unit began full operation earlier this month.

Among his many professional memberships are the American College of Hospital Administrators, American Hospital Association, Catholic Health Association, New Jersey Hospital Association, New Jersey Catholic Health Association, New Jersey Hospital's Association's Councils on Planning and on Governmental Relations, the Health Care Advisory Committee of Rutgers University-Camden, the Iron-bound Rotary, the East Side High School Advisory Board, and the Sparta Township Board of Health. He has also been extremely active in the Lions Club, the Salvation Army, and the Chamber of Commerce.

Mr. Speaker, I invite you and our colleagues to join me in saluting Daniel L. Marcantuono who, for the past two decades, has worked tirelessly and made an invaluable contribution to the health care delivery system of New Jersey, a contribution that can be readily held up to the rest of the Nation as a model for helping to assure the economic viability of our health care institutions. He has helped make our health care system better, not just for New Jersey, but for all Americans, and is truly

worthy of being honored as the Passaic Chapter of Unico's Man of the Year.

NATIONAL FAMILY CAREGIVERS WEEK, NOVEMBER 19-25, 1989

HON. OLYMPIA J. SNOWE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Ms. SNOWE. Mr. Speaker, today I am introducing legislation along with my colleagues, to establish the week of Thanksgiving, November 19 through November 25, 1989, as National Family Caregivers Week.

As you know, National Family Caregivers Week has been signed into law for the past 3 years. Each year, this legislation has gained broad-based support which is indicative of the important role families continue to play in the care of the frail and disabled. Indeed, three quarters of the noninstitutionalized disabled elderly rely solely on informal care. As such, family caregivers, primarily wives, daughters, and daughters-in-law, are the principal providers of the long-term care system. Today a woman will spend 18 years caring for an aging parent and only 17 years caring for a child, a pattern that is expected to persist into the future.

Generally, family care is the main factor associated with the delay or prevention of nursing home care, making it not only humane, but also cost-effective care. Although there is a false notion that families have withdrawn from the care of their relatives, the reality is that the family continues to be committed to this responsibility, even at great financial or emotional cost.

Legislation designating National Family Caregivers Week remains as important today as it was when I first introduced the concept. We have only just begun to understand the essential role of the family in providing care to the frail and disabled. National Family Caregivers Week is a tribute to all informal caregivers across the country. This bill reflects our Nation's appreciation for caregivers by recognizing and commending their important contribution.

REMEMBERING CHANCELLOR RICHARD GREEN

HON. STEPHEN J. SOLARZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. SOLARZ. Mr. Speaker, I rise to remember the life and accomplishments of New York City School Chancellor Richard Green who died on May 10, 1989. Although he served a brief 14 months, Chancellor Green has left a legacy of caring and competence which will challenge his successor.

Chancellor Green left a very personal stamp on New York, not only for his daring and creative initiatives, but also because he truly cared about our children's future. Running that system proved a daunting task with over 1 million children and 1,000 deteriorating school buildings spread out over 32 school districts.

If the job was tough, Richard Green proved he could be tougher. If the system needed an extraordinary individual who could pull together an often divided city, he was that person. He won the respect of parents and children, administrators and teachers. As board of education President Robert Wagner put it:

He loved kids, and they loved him. He was a remarkable man and brought to the system a combination of passion for education as well as toughness, and I think for so many of our teachers and kids he had become kind of a role model.

United Federation of Teachers President Sandra Feldman remembered him as "a chancellor who really had a collegial relationship with teachers, who thought as a teacher, who related to kids as a teacher."

Born in Menifee, AR, 52 years ago, Richard Green moved, with his family, to Minneapolis before his second birthday. He was raised in a public housing project in Minneapolis' north side and found himself, at times, in trouble with the authorities.

In spite of a lifelong battle with severe asthma, which cause doctors to urge him not to play any sports, Richard Green earned a basketball scholarship to Augsburg College where he received a bachelor's degree in education. He received his master's from St. Cloud State College.

Having completed his education, Richard Green began his life's work, attending to the educational needs of others. He achieved a number of firsts over the course of his 30-year career: The first black coach, the first black principal, and the first black school superintendent of Minneapolis.

During his tenure in the Minneapolis School System, Richard Green administered a desegregation plan which avoided much of the strife and divisiveness suffered in many other cities. He was at the forefront of a national movement to elevate standards in public schools, championing such controversial programs as gates testing for kindergarten students and greater discipline at all grade levels.

Following a nationwide search, Richard Green became the first black chancellor of the New York City School System. He arrived in March 1988 and began tackling problems that had plagued the system for years. He was shocked by the condition of many school buildings, some so run down that they hindered the learning process. He pushed for, and won, passage of a school construction authority to rebuild the system's aging infrastructure. He reorganized the central board and put forward a budget which won him high praise even from detractors.

Richard Green was an administrator who understood the school system as a teacher, an educator who understood the needs of our children, but most of all he was a man deeply committed to the future. We were touched by his presence, ennobled by his vision, and electrified by his energy.

Mr. Speaker, Chancellor Richard Green left our city a better place. It's not always easy to teach a New Yorker a lesson, but I think we learned a great deal from him. I know that all New Yorkers will want to strive to carry on his dream. Richard Green touched each of us,

and he will always occupy a special place in our city.

SUPPORT SWEAT EQUITY PROGRAMS: AN INNOVATIVE METHOD FOR BUILDING AFFORDABLE HOUSING AND RENOVATING OUR NEIGHBORHOODS

HON. RON WYDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. WYDEN. Mr. Speaker, several neighborhoods in my district in Portland, OR, are the sites of a sad paradox: hundreds of homeless families and hundreds of abandoned houses.

Portland neighborhoods are not unique in this way. The abandoned houses plaguing the neighborhoods in my district and the squalor in which homeless families must live are tragically now a part of the American terrain.

How can we have a situation where good houses are allowed to lie vacant while families who can't find affordable housing are forced to crowd in with friends or relatives, or to live in their cars?

The answer, of course, is simple. Those who need the housing lack the financial resources to rebuild houses. In fact, they often couldn't get title even if they could rebuild them. The houses are allowed to decay, and the homeless shelters become more overcrowded.

Today I am introducing legislation which will help reverse this tragic and wasteful trend by promoting the use of local sweat equity programs to repair the abandoned houses and make them available to low-income families, especially the homeless. Here's how my legislation will work:

First. It will provide grants to State or local agencies, or to public or private nonprofit agencies, which acquire abandoned housing and utilize sweat equity to assist homeless families or families with incomes below 80 percent of the area median income.

Second. It will promote basic training in building and home maintenance skills, as well as financial counseling, to the prospective households.

Third. Recognizing that homeownership is not a viable option for some households, it will promote programs which increase the stock of both affordable owner- and renter-occupied housing.

Fourth. It will ease the process of acquiring housing, by directing the Departments of Housing and Urban Development, Veterans' Affairs, and Agriculture to make available abandoned FHA, VA, and FmHA housing which has been vacant or unsold for at least 6 months. Such housing should be sold at a price no greater than either 90 percent of the outstanding mortgage balance, or the current market value, whichever is less.

The program will support innovative solutions by local nonprofit agencies. As such, these agencies will be allowed to allocate some of their funds for establishing material banks, for hiring electrical and plumbing contractors, or for other purposes as they see fit.

Such technical assistance will be limited to 25 percent of the total appropriation.

State or local governments participating in the program will be required to provide at least a 25-percent match to the Federal grant. This will ensure a local commitment to the sweat equity program.

Sweat equity programs have been successfully implemented throughout the country. They are a low-cost way to both provide housing and to revitalize neighborhoods. Such solutions should be supported by the Federal Government, and I urge my colleagues to join me in supporting this legislation.

CUBAN INDEPENDENCE DAY

HON. DONALD E. "BUZ" LUKENS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. DONALD E. "BUZ" LUKENS. Mr. Speaker, on May 20 of this year, Cuba will mark its 87th anniversary of independence. While this should be a great time of celebration, it cannot be so. True independence has not yet been achieved for its gallant people. True freedom from oppression waits for the future.

After the United States won an overwhelming victory over Spain in the Spanish-American War of 1898, the island of Cuba was ceded to the United States as part of the peace agreement. For the next several years, Cuba remained a protectorate of the United States and benefited from the development that the American presence brought. But sentiment in both the United States and Cuba felt that the time for complete independence had at last come.

Therefore, in 1902, the United States granted Cuba freedom, and it promptly set up its own constitution. Strong ties were formed between the two nations. The first president elected under the new constitution was Tomas Estrada Palma. Unfortunately, democracy was always a fledgling concept within Cuba. Uprisings occurred, and American military assistance was called upon several times to keep the peace.

Since its independence, the story of Cuba has not been a joyous one. Several dictators have held strict control of the nation and her people. True freedom has never been achieved. But the greatest blow to the efforts of justice and liberty came in January 1959 when Fidel Castro and his Communist followers cast a web of darkness over the unfortunate state. Since that day, Cuban attempts at social justice and economic opportunity have met with futility.

Cuban Independence Day can never really be celebrated in Cuba until the heavy, awful yoke of communism has been lifted from its tired shoulders. The excesses of the Soviet Union and its ally, Fidel Castro, have plunged the Cuban people into economic despair and sent many young Cubans to die in wars of aggression in South Western Africa. Once free to decide its own fate amongst the other nations of the world, Cuba is now unfortunately little more than an oppressive puppet-state in the hands of a sprawling empire.

The commemoration of Cuban Independence Day is an important and significant thing. But its importance lies in the fact that true independence has not come about. For that to become reality, the great people of Cuba will have to assert themselves once again and make their demands heard.

PERSONAL EXPLANATION

HON. JIM SLATTERY

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. SLATTERY. Mr. Speaker, I was unavoidably absent during the recorded vote on May 23, 1989, concerning House Concurrent Resolution 121, which condemned the assassination of Col. James Rowe, Chief of the United States Ground Forces Division in the Philippines. I was absent from this vote due to a prior commitment in my congressional district. Had I been present, I would have voted in favor of House Concurrent Resolution 121. I agree that we must reject any attempts, whether through violence or intimidation, to force the United States to withdraw from military facilities in the Philippines or to end our support for the Philippine Government. The United States should continue to provide economic and military assistance to the Philippines to help consolidate democracy, address the country's economic problems, and help combat the Communist insurgency.

CENTENNIAL CELEBRATION—WATERVLIET PUBLIC SCHOOLS 100TH GRADUATING CLASS

HON. FREDERICK S. UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. UPTON. Mr. Speaker, I rise today to pay tribute to the Watervliet Public Schools as they celebrate the occasion of their 100th graduating class. I am honored to have the opportunity to congratulate each person who has played a part in this school system.

Watervliet deserves to be recognized for its exceptional dedication to education. The surrounding community takes great pride in placing education first, and these students are fine examples of outstanding young people. They have distinguished themselves both in the classroom and in their extracurricular activities.

On July 4, the community will hold an official celebration. Each graduate of the school will be an honored guest at the gala as they gather with their families, friends, and public officials to observe this important event. Those participating recognize that they are not marking the centennial of their first graduating class, but are also applauding what makes America great: Pride in the finest education system in the world. They realize that the knowledge they have attained in school prepares them for the challenges they face in life.

Those assembled on that day will come from various backgrounds, professionally, economically, and religiously. But although their personal attributes may vary, they have all benefited from the fine education they received in the Watervliet Public Schools. I commend each person attending the celebration: The students, past and present; the educators, who have devoted themselves to lives of teaching others; the families and friends, and the community, and I am proud to represent them in Congress.

A CONGRESSIONAL TRIBUTE TO BOYD T. THURGOOD

HON. JAMES V. HANSEN

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. HANSEN. Mr. Speaker, I rise today to pay tribute to Mr. Boyd T. Thurgood on the occasion of his retirement from the U.S. Air Force on June 2, 1989. His well deserved rest comes after 41 years of dedication and exemplary service.

This fine gentleman's outstanding accomplishments merit recognition and praise. Mr. Thurgood will be retiring from the position of deputy director of maintenance, Ogden Air Logistics Center, Hill Air Force Base, UT. As this institution resides in my district it is my honor and pleasure to acknowledge his generous service.

Mr. Thurgood's accomplishments are numerous and wide-ranging. Through his assiduous pursuit of knowledge he prepared himself for a wonderful career. As director of maintenance, he was responsible for directing over 6,500 employees in accomplishing maintenance on all Air Force missile weapon systems. Mr. Thurgood was also instrumental in obtaining the C-130 and OV-10 workload to Hill Air Force Base which brought over 100 jobs to the community. Additionally, his expertise was the driving force in developing and promoting the DMMIS program and QP4 total quality program, making Hill the forerunner in command.

He began his civil service career at the Naval Supply Depot in Clearfield, UT where he served until he was called to Korea. There he achieved the rank of sergeant first class while serving in the 25th Infantry Division and was nominated for the rank of master sergeant. After returning home, Mr. Thurgood resumed his civil service career at the Hill Air Force Base. While at Hill, his value is at least partially depicted through the many promotions he has enjoyed. His positions held include the quality branch chief of the Aircraft Division, workload division chief of the Work Load and Posture Planning Branch and chief of the Missile and Aircraft Systems Division.

Mr. Thurgood's value transcends his service to the U.S. Air Force. He is busily involved in the community, having been elected to the Syracuse City Council where he served for 6 years. He was then elected to the office of mayor where he served for an additional 12 years. While serving in this city position, Mr. Thurgood held many positions in the Utah League of Cities and Towns as well as other

regional councils. Despite this hectic schedule he remains actively involved in his church.

Mr. Speaker, this man strives to improve the lives and opportunities of all those around him and beyond. In saluting him today, we pay tribute to someone who has diligently magnified his callings and responsibilities. May we extend to Mr. Thurgood our deepest appreciation for a career and life which lends to all a priceless example.

SUPPORTING THE INCREASE IN THE MINIMUM WAGE

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. DINGELL. Mr. Speaker, I rise today in support of the conference report on the increase in the minimum wage from \$3.35 an hour to \$4.55 over the next 3 years. I urge the President to sign this into public law.

The Fair Labor Standards Act established the first Federal minimum wage at 25 cents per hour in 1938. Since that time the minimum wage has been periodically raised. Today, the minimum wage is the same as it was in 1981, \$3.35 an hour. The purchasing power of the minimum wage has decreased by more than 30 percent since 1981. Had the minimum wage kept pace with inflation since 1981, it would now stand at about \$4.57. During the 1960's and 1970's, a person who worked full time at a minimum wage job could earn slightly more than the amount required to keep a family of three out of poverty. Today, however, the earnings of such a full-time minimum wage worker would be 29 percent below the poverty line for a three-person family.

Clearly, it is time that the minimum wage be raised. Americans from every region across the country overwhelmingly support an increase in the minimum wage. Reflecting that support, the Congress has voted for a long overdue increase in the minimum wage. I hope the President will reflect a similar concern for the needs and desires of working Americans.

A GRATEFUL NATION REMEMBERS ITS VETERANS

HON. ROY DYSON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. DYSON. Mr. Speaker, I rise today in remembrance of those brave men and women who made the ultimate sacrifice so that their countrymen could enjoy the blessings of freedom. As I think back over the years, I am uplifted by the valor, courage, and sense of purpose that these special people demonstrated in the face of opposition. I am also deeply humbled by the selfless sacrifice they made to protect liberty and democracy. As the Bible

says, "Greater love than this no man has than that he lay down his life for his friends."

It was in 1868 that the first national Memorial Day was observed. It was an occasion of more than 100 exercises commemorating the soldiers who fell in the Civil War. The Commander in Chief of the Grand Army of the Republic issued a proclamation marking one special day "for the purpose of strewing with flowers or otherwise decorating the graves of comrades who died in defense of their country."

Since that first Memorial Day millions of Americans have fallen in service to our country. They fought for those principles of freedom upon which our Nation was founded and to protect the rights of individuals which make the United States the greatest nation in the world. We must never forget their sacrifices. Our gratitude should be expressed in our daily actions. Abraham Lincoln wrote during the Civil War, "Let us care for him who shall have borne the battle, and for his widow, and his orphan."

As a member of the powerful House Armed Services Committee I am always mindful of the great debt that this country owes to those who have made sacrifices in its defense. I am especially proud of the patriots from the First District of Maryland. The courage of people like Donny Preston from Cecil County who fought in the Signal Corps during World War II, of Robert Dellinger from Salisbury who was a Marine in World War II, and of Larry Schilling from Elkton who served his country valiantly in the Vietnam war, shine as memorable examples. They did not ask to leave their jobs, their educations, their families to fight oppression throughout the world. America called on them and they went. They accepted their responsibilities with high ideals and patriotism. Each of them is an American hero.

I would also like to pay tribute to organizations like the American Legion and the Veterans of Foreign Wars. They keep the memory of our patriots alive throughout the year. They remind us that liberty has a cost which is borne gladly by all who value our cherished institutions and rich tradition of freedom. Today, more than 28 million Americans, men and women, young and old, proudly call themselves veterans. And they salute the courage and commitment shown by their fellow veterans. They remember all too well what it took to keep America free. It is appropriate to share these reflections and to listen to their voices as they communicate history to us through their memories and experiences.

It is also appropriate to recognize the Americans of today who serve in the Army, the Navy, the Air Force, and the Marine Corps who keep America free today. They carry the torchlight of democracy into the future. Let us look forward to a world of peace and pray that never again will America ask so much of its honest citizens. While we can never repay their sacrifices, let us remember them and express our feelings to our veterans and to the families of our fallen soldiers. We must let them know that their sacrifices were not in vain.

**THE 15TH ANNIVERSARY OF
LENOX HILL HOSPITAL
HEALTH EDUCATION CENTER**

HON. BILL GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. GREEN. Mr. Speaker, I should like to commend Lenox Hill Hospital for providing exceptional health services to New Yorkers. The hospital will celebrate the 15th anniversary of its health education center on May 31 of this year.

The health education center was the first service in New York City to offer free health education and information on a continuing basis to the public, and it has served more than 300,000 New Yorkers. A leader in preventative medicine, the program includes free education and screening programs, literature, exhibits, lectures, audiovisual programs, counseling, tel-Med telephone services, and several hotlines such as a Sex Helpline, Sleepline, Stay-Off-Smoking Hotline, and a Relaxation Line.

The center has been a districtwide and nationwide force demonstrating the value of health education to improve health and lower medical costs. The celebration to commemorate the anniversary of that revolutionary health center will include a day-long health fair, followed in the evening by a ceremony and reception.

I should like to thank Lenox Hill Hospital for the excellent contributions that it has made to the health and welfare of New York City and encourage it to continue developing its diverse programs.

**THE 100TH ANNIVERSARY OF
THE NEWTOWN FIRE ASSOCIATION**

HON. PETER H. KOSTMAYER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. KOSTMAYER. Mr. Speaker, I rise today honoring the 100th anniversary of the Newtown Fire Association. Led by Chief Dennis Forsyth, these men are part of a rich tradition of dedicated volunteer firemen that have provided an invaluable service in my district of Bucks County, PA.

In an age some say is characterized by greed and selfishness, these men volunteer their time and energy for the good of the community. Their courage and selfless dedication exemplify the true spirit of American voluntarism.

The American institution of the volunteer fire company originated in Philadelphia during the time of Benjamin Franklin. Approximately 100 years later, on October 28, 1889, the Newtown Fire Association was formally established. Since then the Newton Fire Association has seen great changes in fire-fighting techniques and equipment. From the use of the antique pumper "Old Washy," to the new trucks the association will house at its 100th anniversary ceremony on June 10, 1989, Newtown's Fire

EXTENSIONS OF REMARKS

Association has provided quality service to the community.

Mr. Speaker, safety in our society depends on the unselfish dedication of men such as those in the Newtown Fire Association. These men often put their lives on the line to ensure the safety of the community. I want to take this opportunity to thank them on behalf of myself and citizens of Newtown, Bucks County, and to wish them good luck and continued success in the future.

**A TRIBUTE TO THE SHEPHERD
HIGH SCHOOL BAND**

HON. BILL SCHUETTE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. SCHUETTE. Mr. Speaker, I have the privilege today of commending a fine group of young individuals who were recently awarded a first division rating at the State band festival in Michigan. The Shepherd High School band, which is composed of over 80 students, has participated at the State level of competition for the past 4 years and has received a first division rating 3 out of the 4 years.

In addition to the first division ratings they have received, the Shepherd High School band has also been recognized for its fine performance at the Michigan Sesquicentennial Celebration 2 years ago and its annual presentation in Lansing's Michigan on the Mall. The band is also currently a member of the Michigan School Band Orchestra Association [MSBOA].

Claude Lemmer, director of the band, has conducted the Shepherd High School band for 28 years. Each individual put forth many long, enduring hours of practice to achieve a quality band, which in turn led them to provide their community with outstanding entertainment. The band will finish up their season with a spring concert and a positive attitude for the following year.

Mr. Speaker, I ask my colleagues in the U.S. House of Representatives to join me today in congratulating these students for their excellent performance in the State band festival. I know these talented individuals made their families, their communities, and the State of Michigan very proud for their excellent achievements.

TRIBUTE TO ARTHUR DIMICELI

HON. JIM COURTER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. COURTER. Mr. Speaker, I rise today in tribute to Art Dimiceli, devoted teacher and coach at Hackettstown High School, Hackettstown, NJ. Art will retire in June 1989 after 36 years of dedicated service.

As a teacher since 1952, Mr. Dimiceli's selfless involvement has earned him the respect of the entire Hackettstown High School community. During his 34 years as coach of the baseball program, he posted 310 wins, 5 Delaware River Conference Championships, 2

State Sectional Championships, and 7 Little Four titles. He also served for 9 years as Hackettstown High School athletic director, head basketball coach, and assistant football coach.

Art and his wife, Agnes, have two children, Michele and Joseph. His distinguished record of achievement represents a commitment to excellence that any parent would want to influence their child. Winning is no stranger to Art Dimiceli's students and student-athletes. I take great pride in noting his accomplishments before my colleagues.

**TRIBUTE TO DR. THOMAS E.
KEE, SR., OF SHAW UNIVERSITY**

HON. MERVYN M. DYMALLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. DYMALLY. Mr. Speaker, I rise to pay tribute to Dr. Thomas E. Kee, one of the outstanding sons of Shaw University in Raleigh, NC, founded in 1865.

Dr. Kee will retire on June 30, 1989, after 40 years of dedicated service to his alma mater.

He graduated from high school in Newark, NJ. Opportunities for higher education were then and still are, rare for black youth. Shaw University, a predominantly black institution of higher education afforded the opportunity as it has done for thousands. Because of its historic philosophy of patience and understanding in taking students where they were, irrespective of economic status and at tremendous sacrifice graduating them, Dr. Kee graduated in 1947.

Like so many graduates of black higher education, Dr. Kee was dedicated and committed to "paying his dues" by giving back to the community some of what he had received. He elected to do this by working for Shaw University for more than 40 years in different working capacities such as teaching, dean of students, vice president for student affairs, vice president for university relations and development, special assistant to the president, executive vice president and vice president for institutional relations and enrollment management. He performed all of these roles with distinction, dignity, and skill.

There is no question that Dr. Kee has contributed significantly to the survival and to the growth and development of Shaw University. He leaves that venerable and illustrious institution with the most gratifying satisfaction and belief that he has contributed to the molding of character.

Dr. Kee will continue to serve, even in retirement, as a beacon of hope to black youth, particularly the embattled black male.

**CHOWAN PRESIDENT, DR.
BRUCE WHITAKER, RETIRES**

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. JONES of North Carolina. Mr. Speaker, Chowan College in Murfreesboro, NC, is an important institution in my congressional district, and Dr. Bruce Whitaker who is serving his 32d year as president of Chowan College, has been a close personal friend for many years. Dr. Whitaker will retire as president on June 30, 1989, and certainly his years of service to Chowan need to be noted.

Under his leadership, Chowan's enrollment has climbed from under 30 to some 950. More than \$20 million has been added to the assets of the college. For the past 30 years, Chowan has operated in the black. Thirteen major buildings have been added, including the \$2.75 million gymnasium—physical education facility, Helms Center, and a new graphic communications building. Whitaker Library is named in his honor.

He is past secretary and member of the executive committee and current member of the National Association of Independent Colleges and Universities. He has served as president of five educational organizations, including the National Council of Independent Junior Colleges and Association of Southern Baptist Colleges and Schools.

In addition to his work with Chowan College, Dr. Whitaker is very active in mental health efforts in the State of North Carolina. Dr. Whitaker is a past chairman and current member of the North Carolina Commission for Mental Health, Mental Retardation, and Substance Abuse Services. He is chairman of the commission's mental health committee.

The chairman of the board of trustees of Chowan sums it up best in praising Dr. Whitaker for his "selfless and capable leadership. Dr. Whitaker has led the college through times of adversity and times of triumph. Because of his keen insight, he has been able to use all of these circumstances to promote the continued growth of Chowan College."

I am grateful for the honor of being considered a close, personal friend of Dr. Whitaker, and along with many, many others, I wish him much health and happiness in the coming years.

SALUTE TO DAVID A. BRODY

HON. DENNIS E. ECKART

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. ECKART. Mr. Speaker, I rise today in recognition of Mr. David A. Brody, retiring director of the Washington Office of the Anti-Defamation League of B'nai B'rith. Mr. Brody has had an impressive career working effectively with the executive and the legislative branches of Government to achieve progress in such areas as civil rights, civil liberties and social welfare. His work on behalf of Israel and Soviet Jewry has also been very valuable.

Mr. Brody has been quite successful at sharing his extensive knowledge of the issues facing Israel and Soviet Jews with the Congress. Because of his communication efforts, he has helped members of Congress better understand those issues. I come before you today to salute Mr. David Brody for his many years of dedication and commitment to these important goals.

**PAYING TRIBUTE TO TRENTO
BRIZZI**

HON. THOMAS M. FOGLIETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. FOGLIETTA. Mr. Speaker, I rise today to pay tribute to an outstanding individual from Assisi, Italy who deserves to be recognized for his major contributions to the Jewish people during World War II. This man is Trento Brizzi.

During the Second World War, Trento and his father, Luigi, were part of an organization which later became known as the Assisi Underground. Led by the archbishop, his appointment secretary, Dan Aldo Brunnacci, and a simple monk, Father Raffino, the Assisi Underground was responsible for saving the lives of almost 5,000 Jewish people from Nazi Germany.

Even more remarkable is the fact that they were 100 percent successful in every attempt they made. This is an incredible achievement considering that these men were not trained spies, but simple Italian villagers. Not one Jewish person who went through their operation was ever captured. In fact, through efforts like this all over Italy, 80 percent of the Italian Jewish population survived.

On May 24, 1989, the Graphics Arts Association is holding a ceremony to honor Trento Brizzi, a 75-year-old printer who still resides in Assisi, Italy, by presenting him the "Freedom of the Press Award" for his courageous work. They are flying him, Don Aldo Brunnacci, and the mayor of Assisi to Philadelphia for the presentation. They will also hold a ceremony for them at the Holocaust Memorial in Philadelphia later during the week. The Graphic Arts Association deserves to be thanked as well for all the work and time they have put into making this important ceremony possible. In fact, Yitzhak Shamir's son is coming from Israel to help pay tribute to Mr. Brizzi. I regret that the demands of the House schedule may mean that I will not be in Philadelphia to properly honor Trento Brizzi, in person.

Mr. Speaker, I rise to pay tribute to a man who did not simply ignore the tyranny of the Nazi regime, but instead chose to fight back and help the Jewish people. The Assisi Underground's dedication and compassion in the ever present face of danger was heroic. Trento Brizzi and the men who worked for the Assisi Underground demonstrated to the world that a few caring men can make a difference.

NATIONAL MARITIME DAY

**HON. GEORGE J.
HOCHBRUECKNER**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. HOCHBRUECKNER. Mr. Speaker, today is National Maritime Day. I rise to pay tribute to the vital role played throughout history by members of the U.S. merchant marine, and to highlight the importance of restoring our domestic shipping industry to its former prominence.

In order to recognize the critical national security role played by merchant mariners over the years, the 100th Congress enacted the Merchant Marine Decorations and Medals Act (Public Law 100-324). I cosponsored this legislation to authorize medals and decorations for outstanding and meritorious conduct and service for members of the U.S. merchant marine during a national emergency. The law also authorizes the Secretary of Transportation to provide a U.S. flag and a gravemarker to the family of a deceased person with such a record of service. The legislation, while long overdue, provided for important national recognition of combat merchant mariners.

I am very concerned about the unfortunate state of the U.S. merchant marine. As a member of the Committee on Merchant Marine and Fisheries, I have supported measures designed by our committee chairman, the gentleman from North Carolina [Mr. JONES] to improve the condition of the American merchant marine. For example, I support the policy that wherever possible, U.S. products should be shipped on U.S.-flag ships.

Unfortunately, however, the executive branch under the Reagan administration repeatedly side-stepped the requirements of law and allowed American goods to be carried on foreign-flag vessels. It seems that even after Congress has carefully designed laws to ensure fairness to American seamen, the administration finds loopholes which enables it to weaken protections. I hope that President Bush's administration will adopt a "kinder, gentler" policy toward the merchant marine.

Mr. Speaker, on this, National Maritime Day, let us honor the Americans who join the U.S. merchant marine.

**HONORING THE EL RANCHO
UNIFIED SCHOOL DISTRICT
EMPLOYEES MAY 26, 1989**

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 23, 1989

Mr. TORRES. Mr. Speaker, on Friday, May 26, 1989, at a special reception the El Rancho Unified School District Board of Education will honor its employees. In addition, retiring teachers and those who have served the school district for 25 and 15 years will be honored with special awards.

These fine and dedicated people have served many years with distinction and are

being honored for their outstanding public service by their peers, their school district, and their community.

Education is an extremely important subject to me. The people who educate, train, and care for our youth are very special. As we commend these fine individuals, let us also commend all those who serve throughout our country's educational system.

I would like to point out that these employees have served in one of the finest school districts in the 34th Congressional District. The El Rancho Unified School District has an outstanding record of high educational quality.

RETIRING

Carl Fiorito, 37 years; David Turovsky, 35; Huey P. Nolin, 32; Alex Dallas, 31; Harriet Jungels, 31; Ruth Oppenlander, 31; Jack Beals, 30; Michelina Guerrero, 30; Del Bock, 27; Joseph S. Albert, 26; Lyle G. Bollum, 26; Phyllis H. (Sophie) Ellis, 26; Ralph R. Meyers, Jr., 26; Catherine Ostrich, 26; Hal S. Ramsaur, 26; Eileen Cautillo, 24; Stella M. Smith, 24; Wilma Page, 23; Emma Peraz, 23; Martha Vaughan, 23; Ernestine Zule, 23; Elvira Durazo, 22; Stella M. Johnson, 22; G. Marie Borchardt, 20; Medardo Garcia, 19; Martin B.

Aparacio, 18; Betty Pixler, 18; Jane Yotsuya, 18; Aleda Barton, 17; Esperanza Estrada, 17; Alice Saldibar, 17; Ann L. Allison, 16; Damaso Henry Sotis, 16; Aurora G. Lopaz, 15; Josie Navarro, 15; Juanita Lucero, 13; Dorothy Rodriguez, 12; Armida Comaduran, 11; Margaret Galuz, 11; and Ruth P. White, 11.

25-YEAR GOLD PINS

Kathleen J. Beck; Patricia C. Cashin; Praxedes R. Flores; Jeanne H. Higashi; Emma Jean Hilsinger; David E. Honig, Nancy D. Jensen-Austin; Gary F. Lovett; Rosalie Ann Lucey; Rose K. Moreno; Edwina F. Rollo; Joseph Valenzuela, and Edwin Wong.

15-YEAR SILVER PINS

Mike Aguilar; Angelina Aquirre; Lucille M. Alaniz; Joseph L. Alvarado; Siegfried Angelo; Norma Benavides; Lilia Bermudez; Eleanor Carreon; Gloria Castaneda; Esperanza Cruz; Corlyn Curtis; Nancy Dillon; Marcella Duron; Anita Enriquez; Estela Faif; Juliet Felix; Josie Gallardo; Grace Gallegos; Fortunato Garcia; Rosemarie Garibay; Elsie Gomez; Esperanza Gonzales; Richard Gonzales; Juliet Goulet; Bertha Gurule; Betty Hernandez, Frances L. Hernandez; Donna A. Hirn; Anna M. Jaramillo;

Barbara Ann Jones; Frances Lay; Mary M. Logsdon; Aurora Lopez; Beatrice Lopez; Gila Lopez; Lucy Lopez; Sara D. Lugo; Anita Martinez; Martha Martinez; Benjamin J. Meza; Arthur Narvaez; Adela Palomar; Paula Pina; Julia M. Ramirez; Elena Rodarte; Adriana Rodriguez; Grace Rodriguez; Guadalupe Ruiz; Frances Salazar; Amelia Salgado; Rachel E. Salgado; Andrew Zermeno; Emily D. Swirbul; Lupe V. Teran; Armida Villa; Marion Wallenberg; Lilia Wolf; and Martha Ybarra.

IN MEMORIAM

Janice Salazar, teacher, 24 years of service at El Rancho High School.

Gaynell Buis, teacher, 23 years of service at North Park Middle School.

Joan Bonilla, clerk-typist, 10 years of service at Burke Middle School.

Mr. Speaker, it is with great honor and pride that I rise to recognize the teaching staff and classified employees of the El Rancho Unified School District on the floor of the U.S. House of Representatives. I ask my colleagues in the House to join me in extending best wishes and heartiest congratulations to the teachers and classified employees who have added so much to enhance this school district.